



Journal of the House

State of Indiana

121st General Assembly

Second Regular Session

Twenty-Fifth Day

Tuesday Afternoon

February 25, 2020

The invocation was offered by Pastor Dwight Washington of Beech Grove Bible Church, a guest of Representative Kirchhofer.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Bauer.

The Speaker ordered the roll of the House to be called:

Abbott	Jackson
Austin	Jordan
Aylesworth	Judy
Bacon	Karickhoff
Baird	Kirchhofer
Barrett	Klinker
Bartels	Lauer
Bartlett	Lehe
Bauer	Lehman
Beck	Leonard
Behning	Lindauer
Borders	Lucas
Boy	Lyness
T. Brown	Macer <input type="checkbox"/>
Burton	Manning
Campbell	May
Candelaria Reardon	Mayfield
Carbaugh	McNamara
Cherry	Miller
Chyung	Moed
Clere	Morris
Cook	Morrison
Davisson	Moseley
Deal	Negele
DeLaney	Nisly
DeVon	Pfaff
Dvorak	Pierce
Eberhart	Porter
Ellington	Prescott
Engleman	Pressel
Errington	Pryor
Fleming	Saunders
Forestal <input type="checkbox"/>	Schaibley
Frye	Shackleford
GiaQuinta	Sherman
Goodin	Smaltz
Goodrich	V. Smith
Gutwein	Soliday
Hamilton	Speedy <input type="checkbox"/>
Harris	Steuerwald
Hatcher	Stutzman
Hatfield	Sullivan
Heaton	Summers
Heine <input type="checkbox"/>	Thompson
Hostettler	Torr
Huston	VanNatter

Vermilion
Wesco
Wolkins
Wright

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 204: 96 present; 4 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, February 27, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 25, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, between lines 23 and 24, begin a new paragraph and insert: **"(c) A mental health disability review panel established under this chapter is not a governing body under IC 5-14-1.5-2(b)."**

Page 5, line 41, delete "evaluate" and insert **"conduct a confidential evaluation of"**.

Page 6, line 5, after "its" insert **"confidential"**.

Page 6, line 21, after "its" insert **"confidential"**.

Page 6, after line 30, begin a new paragraph and insert:

"Sec. 10. The system board may, during the provisional periods described in sections 5 and 7 of this chapter, suspend a member's disability benefit if the member fails to comply with reasonable requests by the review panel for information pursuant to its authority under this chapter."

(Reference is to SB 25 as printed January 10, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 199, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 199 as printed January 31, 2020.)

Committee Vote: Yeas 9, Nays 1.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 206, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 35-31.5-2-3, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) **Except as provided in subsection (b) or unless otherwise defined in statute, "accused",** for purposes of IC 35-40, has the meaning set forth in IC 35-40-4-2.

(b) **"Accused", for purposes of IC 35-40-5-11.5, has the meaning set forth in IC 35-40-5-11.5.**

SECTION 2. IC 35-31.5-2-40.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 40.5. **"Child victim", for purposes of IC 35-40-5-11.5, has the meaning set forth in IC 35-40-5-11.5.**

SECTION 3. IC 35-31.5-2-87.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 87.1. **"Defendant", for purposes of IC 35-40-5-11.5, has the meaning set forth in IC 35-40-5-11.5.**

SECTION 4. IC 35-31.5-2-87.5 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 87.5: **"Defense counsel", for purposes of IC 35-40-5-11, has the meaning set forth in IC 35-40-5-11(b).**

SECTION 5. IC 35-31.5-2-90.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 90.5. **"Deposition", for purposes of IC 35-40-5-11.5, has the meaning set forth in IC 35-40-5-11.5.**

SECTION 6. IC 35-40-5-3, AS AMENDED BY P.L.65-2016, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) This section applies if either of the following has occurred:

(1) The alleged felony or delinquent act that would have been a felony if committed by an adult was directly perpetrated against the victim.

(2) The alleged felony, misdemeanor, or delinquent act that would have been a felony or misdemeanor if committed by an adult was:

(A) a violation of IC 35-42-2 (offenses against the person), IC 35-45-2-1 (intimidation), IC 35-45-2-2 (harassment), IC 35-46-1-15.1 (invasion of privacy), IC 35-46-1-15.3, or IC 35-47-4-3 (pointing a firearm); and

(B) directly perpetrated against the victim by a person who:

- (i) is or was a spouse of the victim;
- (ii) is or was living as if a spouse of the victim; or
- (iii) has a child in common with the victim.

(3) The alleged misdemeanor or delinquent act that would have been a misdemeanor if committed by an adult, other than a misdemeanor described in subdivision (2), was directly perpetrated against the victim, and the victim has complied with the notice requirements under IC 35-40-10.

(b) A victim has the right to confer with a representative of the prosecuting attorney's office:

- (1) after a crime allegedly committed against the victim has been charged;
- (2) before the trial of a crime allegedly committed against the victim; and
- (3) before any disposition of a criminal case involving the victim.

This right does not include the authority to direct the prosecution of a criminal case involving the victim.

(c) A child victim (as defined in section 11.5 of this

chapter) has the right to confer with a representative of the prosecuting attorney's office before being deposed. The representative of the prosecuting attorney's office may not instruct the child victim to refuse to participate in the deposition.

SECTION 7. IC 35-40-5-11 IS REPEALED [EFFECTIVE UPON PASSAGE] Sec. 11: (a) This section applies only to a child less than sixteen (16) years of age who is the victim or alleged victim of a sex offense (as defined in IC 11-8-8-5.2).

(b) As used in this section, "defense counsel" includes an agent of:

- (1) the defense counsel; or
- (2) the defendant.

(c) After charges are filed against a defendant, if defense counsel would like to interview a child described in subsection (a), the defendant or defense counsel must contact the prosecuting attorney. The child has the right under section 3 of this chapter to confer with the prosecuting attorney before the interview occurs. The prosecuting attorney may not instruct the child not to speak with defense counsel.

(d) If the parties are unable to agree to the terms of the interview, the parties may petition the court for a hearing on the terms of the interview prior to the interview taking place. The court shall review the terms suggested by the parties and consider the age of the child, any special considerations, and the rights of victims provided by IC 35-40-5-1 in setting reasonable terms for the interview.

SECTION 8. IC 35-40-5-11.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11.5. (a) This section applies only to a criminal case involving a child less than sixteen (16) years of age who is the victim or alleged victim of a sex offense.

(b) The following definitions apply throughout this section:

(1) "Accused" or "the accused" means a person charged with committing a sex offense against a child victim. The term does not include an attorney who represents the accused.

(2) "Child victim" means a child less than sixteen (16) years of age who is the victim or alleged victim of a sex offense.

(3) "Defendant" means a person charged with committing a sex offense against a child victim and an attorney who represents the defendant.

(4) "Deposition" or "depose" means a deposition upon oral examination, or taking a deposition upon oral examination, as described in Indiana Trial Rule 30.

(5) "Sex offense" has the meaning set forth in IC 11-8-8-5.2.

(c) A defendant may depose a child victim only in accordance with this section.

(d) A defendant may not take the deposition of a child victim unless the defendant contacts the prosecuting attorney before contacting the child, and one (1) or more of the following apply:

(1) The prosecuting attorney agrees to the deposition. The prosecuting attorney may condition the prosecuting attorney's agreement to the deposition upon the defendant's acceptance of the manner in which the deposition shall be conducted.

(2) The court authorizes the deposition after finding, following a hearing under subsection (f), that there is a reasonable likelihood that the child victim will be unavailable for trial and the deposition is necessary to preserve the child victim's testimony.

(3) The court authorizes the deposition after finding, following a hearing under subsection (g), that the deposition is necessary:

(A) due to the existence of extraordinary

circumstances; and
(B) in the interest of justice.

(e) If the prosecuting attorney does not agree to the deposition, the defendant may petition the court for authorization to depose the child victim under subsection (d)(2), (d)(3), or both subsection (d)(2) and (d)(3). Upon receipt of the petition, the court shall notify the prosecuting attorney and set a hearing to determine whether to authorize a deposition of the child victim, and, if applicable, to determine the manner in which the deposition shall be conducted.

(f) The court shall authorize the deposition of a child victim under subsection (d)(2) if the defendant proves by a preponderance of the evidence that there is a reasonable likelihood that the child victim will be unavailable for trial and the deposition is necessary to preserve the child victim's testimony.

(g) The court may not authorize the deposition of a child victim under subsection (d)(3) unless the defendant establishes by a preponderance of the evidence that the deposition is necessary:

- (1) due to the existence of extraordinary circumstances; and
- (2) in the interest of justice.

(h) If the court authorizes the deposition of a child victim under subsection (f) or (g), the court shall determine the manner in which the deposition shall be conducted, after considering:

- (1) the age of the child;
- (2) the rights of the victim under IC 35-40-5-1; and
- (3) any other relevant factors or special considerations.

(i) If the court denies a petition to depose a child victim, the court shall issue a written order describing the reason for the denial.

(j) If the court grants a request to depose a child victim, the court shall issue a written order describing the reason for granting the petition and setting forth the manner in which the deposition shall be conducted. The order shall:

- (1) expressly prohibit the accused from deposing or being present at the deposition of the child victim unless:
 - (A) there is a reasonable likelihood that the child victim will be unavailable for trial;
 - (B) the deposition is necessary to preserve the child victim's testimony; and
 - (C) the presence of the accused is necessary to preserve the constitutional rights of the accused under the Sixth Amendment of the Constitution of the United States or Article 1, Section 13 of the Constitution of the State of Indiana;
- (2) describe the manner in which the deposition shall be conducted; and
- (3) if applicable, issue a protective order under Indiana Trial Rule 26(C).

SECTION 9. An emergency is declared for this act.

(Reference is to SB 206 as reprinted January 28, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 1.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 267, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 13, line 24, delete "IC 12-13-16-10." and insert "IC 12-13-16-12."

Page 15, line 39, delete "consists of members appointed:" and insert "includes the following members appointed by the governor or the governor's designee:

- (1) Two (2) members, each of whom represents a different Indiana United Way entity.
- (2) Two (2) members who have experience working for or with Indiana 211 Partnership, Inc., or the Indiana 211 board of directors.
- (3) Two (2) members, each of whom represents a different local service agency that receives referrals from 211.
- (4) Seven (7) members representing the types of human services provided under this chapter.

(b) The initial members of the advisory committee serve the following terms:

- (1) Three (3) members serve a term of one (1) year.
- (2) Five (5) members serve a term of two (2) years.
- (3) Five (5) members serve a term of four (4) years.

Members appointed to the advisory committee thereafter serve terms of four (4) years.

(c) The governor or the governor's designee shall appoint the chairperson of the advisory committee."

Page 15, delete lines 40 through 42.

Page 16, line 1, delete "(b)" and insert "(d)".

Page 16, line 1, delete "advise" and insert "do the following:

- (1) Provide input and consultation regarding implementation and administration of 211 services by the office of the secretary to ensure compliance with any requirements or obligations under this chapter.
- (2) Advise".

Page 16, line 3, delete "211." and insert "211 services."

Page 16, line 4, delete "(c)" and insert "(e)".

Page 16, line 7, delete "(d)" and insert "(f)".

Page 16, line 15, delete "(e)" and insert "(g)".

Page 16, between lines 20 and 21, begin a new paragraph and insert:

"Sec. 10. Beginning July 1, 2021, the office of the secretary shall:

- (1) compile data regarding 211 services, including:
 - (A) community needs, including utility, housing, and food assistance;
 - (B) the number of referrals to community resources;
 - (C) the number of individuals seeking assistance in each county; and
 - (D) all community resource providers; and
- (2) enter into data sharing agreements with entities approved by the office of the secretary that allow the approved entities to access data compiled under this section in a manner that is consistent with state and federal privacy laws.

Sec. 11. The office of the secretary shall obtain and maintain accreditation for 211 operations in accordance with the standards of the Alliance of Information and Referral Systems or an equivalent national accreditation organization for information and referral services."

Page 16, line 21, delete "10." and insert "12."

(Reference is to SB 267 as printed January 14, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

DEVON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 289, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 1-1-4-5, AS AMENDED BY P.L.114-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The following definitions apply to the construction of all Indiana statutes, unless the construction is plainly repugnant to the intent of the general assembly or of the context of the statute:

(1) "Adult", "of full age", and "person in his majority" mean:

(A) a person at least eighteen (18) years of age; or

(B) a:

(i) **married minor who is at least sixteen (16) years of age; or**

(ii) **minor who has been completely emancipated by a court;**

subject to specific constitutional and statutory age requirements and health and safety regulations that remain applicable to the person because of the person's age.

(2) "Attorney" includes a counselor or other person authorized to appear and represent a party in an action or special proceeding.

(3) "Autism" means a neurological condition as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(4) "Bond" does not necessarily imply a seal.

(5) "Clerk" means the clerk of the court or a person authorized to perform the clerk's duties.

(6) "Health record", "hospital record", or "medical record" means written or printed information possessed by a provider (as defined in IC 16-18-2-295) concerning any diagnosis, treatment, or prognosis of the patient, unless otherwise defined. Except as otherwise provided, the terms include mental health records and drug and alcohol abuse records.

(7) "Highway" includes county bridges and state and county roads, unless otherwise expressly provided.

(8) "Infant" or "minor" means a person less than eighteen (18) years of age.

(9) "Inhabitant" may be construed to mean a resident in any place.

(10) "Judgment" means all final orders, decrees, and determinations in an action and all orders upon which executions may issue.

(11) "Land", "real estate", and "real property" include lands, tenements, and hereditaments.

(12) "Mentally incompetent" means of unsound mind.

(13) "Money demands on contract", when used in reference to an action, means an action arising out of contract when the relief demanded is a recovery of money.

(14) "Month" means a calendar month, unless otherwise expressed.

(15) "Noncode statute" means a statute that is not codified as part of the Indiana Code.

(16) "Oath" includes "affirmation", and "to swear" includes to "affirm".

(17) "Person" extends to bodies politic and corporate.

(18) "Personal property" includes goods, chattels, evidences of debt, and things in action.

(19) "Population" has the meaning set forth in IC 1-1-3.5-3.

(20) "Preceding" and "following", referring to sections in statutes, mean the sections next preceding or next following that in which the words occur, unless some other section is designated.

(21) "Property" includes personal and real property.

(22) "Sheriff" means the sheriff of the county or another person authorized to perform sheriff's duties.

(23) "State", applied to any one (1) of the United States, includes the District of Columbia and the commonwealths, possessions, states in free association with the United States, and the territories. "United States" includes the District of Columbia and the commonwealths, possessions, states in free association with the United States, and the territories.

(24) "Under legal disabilities" includes persons less than eighteen (18) years of age, mentally incompetent, or out of the United States.

(25) "Verified", when applied to pleadings, means supported by oath or affirmation in writing.

(26) "Will" includes a testament and codicil.

(27) "Without relief" in any judgment, contract, execution, or other instrument of writing or record, means without the benefit of valuation laws.

(28) "Written" and "in writing" include printing, lithographing, or other mode of representing words and letters. If the written signature of a person is required, the terms mean the proper handwriting of the person or the person's mark.

(29) "Year" means a calendar year, unless otherwise expressed.

(30) The definitions in IC 35-31.5 apply to all statutes relating to penal offenses.

(b) This subsection applies to the definitions of "Hoosier veteran" and "veteran" when used in reference to state programs for veterans. The term "veteran" includes "Hoosier veteran", and applies to the construction of all Indiana statutes, unless the construction is expressly excluded by the terms of the statute, is plainly repugnant to the intent of the general assembly or of the context of the statute, or is inconsistent with federal law. "Hoosier veteran" means an individual who meets the following criteria:

(1) The individual is a resident of Indiana.

(2) The individual served in a reserve component of the armed forces of the United States or the Indiana National Guard.

(3) The individual completed any required military occupational specialty training and was not discharged or separated from the armed forces or the Indiana National Guard under dishonorable or other than honorable conditions.

The definitions set forth in this subsection may not be construed to affect a Hoosier veteran's eligibility for any state program that is based upon a particular aspect of the Hoosier veteran's service such as a disability or a wartime service requirement.

SECTION 2. IC 31-9-2-133.1, AS AMENDED BY P.L.144-2018, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 133.1. "Victim of human or sexual trafficking", for purposes of IC 31-34-1-3.5, refers to a child who is recruited, harbored, transported, or engaged in:

(1) forced labor;

(2) involuntary servitude;

(3) prostitution;

(4) juvenile prostitution, as defined in IC 35-31.5-2-178.5;

(5) child exploitation, as defined in IC 35-42-4-4(b);

(6) marriage, unless authorized by a court under ~~IC 31-11-1-6~~; **IC 31-11-1-7**;

(7) trafficking for the purpose of prostitution, juvenile prostitution, or participation in sexual conduct as defined in IC 35-42-4-4(a)(4); or

(8) human trafficking as defined in IC 35-42-3.5-0.5.

SECTION 3. IC 31-11-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. Except as provided in ~~section sections 5 or 6 and 7~~ of this chapter, two (2) individuals may not marry each other unless both individuals are at least eighteen (18) years of age.

SECTION 4. IC 31-11-1-5 IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. Two (2) individuals may marry each other if:

- (1) both individuals are at least ~~seventeen (17)~~ **sixteen (16)** years of age;
- (2) ~~one (1) of the individuals is not more than four (4) years older than the other individual if the other individual is sixteen (16) years of age;~~
- (~~2~~) (3) each individual who is less than eighteen (18) years of age: receives the consent required by ~~IC 31-11-2~~;
- (A) has been granted an order by a juvenile court under section 7 of this chapter granting the individual approval to marry and completely emancipating the individual; and
- (B) not earlier than fifteen (15) days after the issuance of the order described in clause (A), presents to the clerk of the circuit court an application for a marriage license accompanied by:
 - (i) a certified copy of the order; and
 - (ii) a certificate of completion of any premarital counseling required under the order; and
- (~~3~~) (4) the individuals are not prohibited from marrying each other for a reason set forth in this article.

SECTION 5. IC 31-11-1-6 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 6: (a) Two (2) individuals may marry each other if:

- (1) the individuals are not prohibited from marrying for a reason set forth in this article; and
- (2) a circuit or superior court of the county of residence of either individual considers the information required to be submitted by subsection (b) and authorizes the clerk of the circuit court to issue the individuals a marriage license.
- (b) A court may not authorize the clerk of the circuit court to issue a marriage license under subsection (a) unless:
 - (1) the individuals have filed with the court a verified petition that includes allegations that:
 - (A) the female is at least fifteen (15) years of age;
 - (B) the female is pregnant or is a mother;
 - (C) each of the individuals who is less than eighteen (18) years of age has received the consent required by ~~IC 31-11-2~~;
 - (D) the male is at least fifteen (15) years of age and is either:
 - (i) the putative father of the expected child of the female; or
 - (ii) the father of the female's child; and
 - (E) the individuals desire to marry each other;
 - (2) the court has provided notice of the hearing required by this section to both parents of both petitioners or, if applicable to either petitioner:
 - (A) to the legally appointed guardian or custodian of a petitioner; or
 - (B) to one (1) parent of a petitioner if the other parent:
 - (i) is deceased;
 - (ii) has abandoned the petitioner;
 - (iii) is mentally incompetent;
 - (iv) is an individual whose whereabouts is unknown; or
 - (v) is a noncustodial parent who is delinquent in the payment of court ordered child support on the date the petition is filed;
 - (3) a hearing is held on the petition in which the petitioners and interested persons, including parents, guardians, and custodians, are given an opportunity to appear and present evidence; and
 - (4) the allegations of the petition filed under subdivision (1) have been proven.
- (c) A court's authorization granted under subsection (a):
 - (1) constitutes part of the confidential files of the clerk of the circuit court; and
 - (2) may be inspected only by written permission of a

circuit, superior, or juvenile court.

SECTION 6. IC 31-11-1-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) A minor who is sixteen (16) years of age may petition the juvenile court in the county in which the minor resides for an order granting the minor approval to marry and completely emancipating the minor. The petition must contain the following information:

- (1) The minor's name, gender, and age.
- (2) Documentary proof of the minor's date of birth.
- (3) The minor's address, and how long the minor has resided at that address.
- (4) The following information with regard to the intended spouse:
 - (A) The intended spouse's name, gender, and age.
 - (B) Documentary proof of the intended spouse's date of birth.
 - (C) The intended spouse's address, and how long the intended spouse has resided at that address.
- (5) A statement of:
 - (A) the reasons the minor desires to marry;
 - (B) how the minor and the intended spouse came to know each other; and
 - (C) how long the minor and the intended spouse have known each other.
- (6) Copies of:
 - (A) any criminal records of the minor and of the intended spouse; and
 - (B) any protective order:
 - (i) issued to protect or restrain either the minor or the intended spouse; and
 - (ii) relating to domestic or family violence, a sexual offense, or stalking.
- (7) Evidence that the minor has demonstrated maturity and capacity for self-sufficiency and self-support independent of the minor's parents or legal guardians or the intended spouse, including proof that the minor:
 - (A) has graduated from high school;
 - (B) has obtained a high school equivalency diploma;
 - (C) has a plan for continued education;
 - (D) has completed a vocational training or certificate program;
 - (E) has attained a professional licensure or certification; or
 - (F) has maintained stable housing or employment for at least three (3) consecutive months prior to filing the petition.
- (b) A court with which a petition under subsection (a) is filed shall:
 - (1) set a date for an evidentiary hearing on the petition;
 - (2) provide reasonable notice of the hearing to the minor and the minor's parents or legal guardians; and
 - (3) appoint an attorney to serve as guardian ad litem for the minor.
- (c) At the evidentiary hearing, the court shall conduct an in camera interview with the minor separate from the minor's parents or legal guardians and intended spouse.
- (d) Following the evidentiary hearing, and subject to subsection (e), the court may grant the petition if the court finds all of the following:
 - (1) The minor is a county resident who is sixteen (16) years of age.
 - (2) The intended spouse is not more than four (4) years older than the minor.
 - (3) The minor's decision to marry is voluntary, and free from force, fraud, or coercion.
 - (4) The minor is mature enough to make a decision to marry.

(5) The minor has established the minor's capacity to be self-sufficient and self-supporting independent of the minor's parents, legal guardians, and intended spouse.

(6) The minor understands the rights and responsibilities of parties to marriage and of completely emancipated minors.

(7) It is in the best interests of the minor for the court to grant the petition to marry and to completely emancipate the minor. In making the determination under this subdivision, the court shall consider how marriage and emancipation may affect the minor's health, safety, education, and welfare.

A court that grants a petition under this section shall issue written findings regarding the court's conclusions under subdivisions (1) through (7).

(e) The following, considered independently or together, are not sufficient to determine the best interests of a minor for purposes of this section:

(1) The fact that the minor or the intended spouse is pregnant or has had a child.

(2) The wishes of the parents or legal guardians of the minor.

However, there is a rebuttable presumption that marriage and emancipation are not in the best interests of the minor if both parents of the minor oppose the minor's marriage and emancipation.

(f) The juvenile court shall deny a petition under this section if the court finds any of the following:

(1) The intended spouse:

(A) is or was in a position of authority or special trust in relation to the minor; or

(B) has or had a professional relationship with the minor, as defined in IC 35-42-4-7.

(2) The intended spouse has been convicted of, or entered into a diversion program for, an offense under IC 35-42:

(A) that involves an act of violence;

(B) of which a child was the victim; or

(C) that is an offense under:

(i) IC 35-42-3.5; or

(ii) IC 35-42-4.

(3) Either the minor or the intended spouse is pregnant or is the mother of a child, and the court finds by a preponderance of evidence that:

(A) the other party to the marriage is the father of the child or unborn child; and

(B) the conception of the child or unborn child resulted from the commission of an offense under:

(i) IC 35-42-4-3 (child molesting);

(ii) IC 35-42-4-6 (child solicitation);

(iii) IC 35-42-4-7 (child seduction); or

(iv) IC 35-42-4-9 (sexual misconduct with a minor).

(4) The intended spouse has previously been enjoined by a protective order relating to domestic or family violence, a sexual offense, or stalking, regardless of whether the person protected by the order was the minor.

(g) If a court grants a petition under this section, the court shall also issue an order of complete emancipation of the minor and provide a certified copy of the order to the minor.

(h) A minor emancipated under this section is considered to have all the rights and responsibilities of an adult as defined under IC 1-1-4-5(a)(1), except as provided under specific constitutional or statutory age requirements that apply to the minor because of the minor's age, including requirements related to voting, use of alcoholic beverages or tobacco products, and other health and safety regulations.

(i) A court hearing a petition under this section may issue

any other order the court considers appropriate for the minor's protection.

(j) A court that grants a petition under this section may require that both parties to the marriage complete premarital counseling with a marriage and family therapist licensed under IC 25-22.5, IC 25-23.6-8, or IC 25-33.

(k) A court that grants a petition under this section may impose any other condition on the grant of the petition that the court determines is reasonable under the circumstances.

SECTION 7. IC 31-11-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. (Consent to Marry Required for Certain Individuals).

SECTION 8. IC 31-11-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. Each individual who applies for a marriage license must submit to the clerk of the circuit court **documentary proof of the individual's age, in the form of:**

(1) a:

(A) certified copy of the individual's birth certificate;

(B) copy of a birth record; or

(C) certification of birth issued by the state department of health, a local registrar of vital statistics, or another public office charged with similar duties under the law of another state, territory, or country;

(2) a certified copy of a judicial decree issued under IC 34-28-1 (or IC 34-4-3 before its repeal) that establishes the date of the individual's birth;

(3) any written evidence of the individual's date of birth that is satisfactory to the clerk; or

(3) a passport;

(4) a valid operator's license or other identification that is issued by a state or another governmental entity and that contains the individual's date of birth and current address;

(5) an immigration or naturalization record showing the individual's date of birth;

(6) a United States selective service card or armed forces record showing the individual's date of birth; or

(7) a:

(A) court record; or

(B) other document or record issued by a governmental entity; showing the individual's date of birth.

SECTION 9. IC 31-11-4-8 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 8: If a written consent is required by IC 31-11-2, a clerk of a circuit court may not receive an application for a marriage license unless:

(1) the clerk has filed the consent form in the clerk's office; and

(2) the clerk has entered a notice of the filing on the marriage license docket.

SECTION 10. IC 31-11-8-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. A marriage is void if the parties to the marriage:

(1) are residents of Indiana;

(2) had their marriage solemnized in another state with the intent to:

(A) evade IC 31-11-1-4, IC 31-11-4-4, or IC 31-11-4-11 (or IC 31-7-3-3 or IC 31-7-3-10 before their repeal); and

(B) subsequently return to Indiana and reside in Indiana; and

(3) without having established residence in another state in good faith, return to Indiana and reside in Indiana after the marriage is solemnized.

SECTION 11. IC 31-11-11-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 2: A person who knowingly furnishes false information in a verified written consent under IC 31-11-2 commits a Level 6 felony.

SECTION 12. IC 31-17-2.2-1, AS AMENDED BY P.L.186-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Except as provided in subsection (b), a relocating individual must file a notice of the intent to move with the clerk of the court that:

- (1) issued the custody order or parenting time order; or
- (2) if subdivision (1) does not apply, has jurisdiction over the legal proceedings concerning the custody of or parenting time with a child.

(b) A relocating individual is not required to file a notice of intent to move with the clerk of the court if:

- (1) the relocation has been addressed by a prior court order, including a court order relieving the relocating individual of the requirement to file a notice; ~~and or~~
- (2) the relocation will:

(A) result in a decrease in the distance between the relocating individual's residence and the nonrelocating individual's residence; or

(B) result in an increase of not more than twenty (20) miles in the distance between the relocating individual's residence and the nonrelocating individual's residence; and allow the child to remain enrolled in the child's current school.

(c) Upon motion of a party, the court shall set the matter for a hearing to allow or restrain the relocation of a child and to review and modify, if appropriate, a custody order, parenting time order, grandparent visitation order, or child support order. The court's authority to modify a custody order, parenting time order, grandparent visitation order, or child support order is not affected by the fact that a relocating individual is exempt from the requirement to file a notice of relocation by subsection (b). The court shall take into account the following in determining whether to modify a custody order, parenting time order, grandparent visitation order, or child support order:

- (1) The distance involved in the proposed change of residence.
- (2) The hardship and expense involved for the nonrelocating individual to exercise parenting time or grandparent visitation.
- (3) The feasibility of preserving the relationship between the nonrelocating individual and the child through suitable parenting time and grandparent visitation arrangements, including consideration of the financial circumstances of the parties.
- (4) Whether there is an established pattern of conduct by the relocating individual, including actions by the relocating individual to either promote or thwart a nonrelocating individual's contact with the child.
- (5) The reasons provided by the:
 - (A) relocating individual for seeking relocation; and
 - (B) nonrelocating parent for opposing the relocation of the child.
- (6) Other factors affecting the best interest of the child.

(d) A court may order the relocating individual and the nonrelocating individual to participate in mediation or another alternative dispute resolution process before a hearing under this section:

- (1) on its own motion; or
- (2) upon the motion of any party.

(e) If a relocation occurs, all existing orders for custody, parenting time, grandparent visitation, and child support remain in effect until modified by the court.

(f) The court may award reasonable attorney's fees for a motion filed under this section in accordance with IC 31-15-10 and IC 34-52-1-1(b)."

Page 3, line 11, delete "law enforcement" and insert "criminal".

Page 3, line 18, delete "law enforcement" and insert "criminal".

Page 3, line 20, delete "and".

Page 3, between lines 20 and 21, begin a new line block indented and insert:

"(3) the individual completes an attestation, under penalty of perjury, disclosing:

(A) any abuse or neglect complaints made against the individual with the child welfare agency of a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and

(B) any contact the individual had with a law enforcement agency in connection with the individual's suspected or alleged commission of a crime in a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and"

Page 3, line 21, delete "(3)" and insert "(4)".

Page 5, line 29, delete "law enforcement" and insert "criminal".

Page 5, line 36, delete "law enforcement" and insert "criminal".

Page 5, line 38, delete "and".

Page 5, between lines 38 and 39, begin a new line block indented and insert:

"(3) the individual completes an attestation, under penalty of perjury, disclosing:

(A) any abuse or neglect complaints made against the individual with the child welfare agency of a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and

(B) any contact the individual had with a law enforcement agency in connection with the individual's suspected or alleged commission of a crime in a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and"

Page 5, line 39, delete "(3)" and insert "(4)".

Page 8, line 6, delete "law enforcement" and insert "criminal".

Page 8, line 13, delete "law enforcement" and insert "criminal".

Page 8, line 15, delete "and".

Page 8, between lines 15 and 16, begin a new line block indented and insert:

"(3) the individual completes an attestation, under penalty of perjury, disclosing:

(A) any abuse or neglect complaints made against the individual with the child welfare agency of a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and

(B) any contact the individual had with a law enforcement agency in connection with the individual's suspected or alleged commission of a crime in a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and"

Page 8, line 16, delete "(3)" and insert "(4)".

Page 8, after line 39, begin a new paragraph and insert:

"SECTION 16. IC 31-34-20-6, AS AMENDED BY P.L.85-2017, SECTION 104, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) The juvenile court for the county in which a child resides may emancipate a the child under section 1(a)(5) of this chapter upon a petition brought by the child.

(b) The court in which a petition is filed under subsection (a) shall appoint an attorney to serve as guardian ad litem for the child. The guardian ad litem shall investigate the statements contained in the petition and file a report of the

investigation with the court.

(c) After receiving the report of the guardian ad litem under subsection (b) and holding a hearing, the court may grant the petition if the court finds:

(1) that emancipation is in the child's best interests; and

(2) that the child:

(1) (A) wishes to be free from parental control and protection and no longer needs that control and protection;

(2) (B) has sufficient money for the child's own support;

(3) (C) understands the consequences of being free from parental control and protection; and

(4) (D) has an acceptable plan for independent living.

(b) (d) If the juvenile court **completely emancipates the child, the child has all the rights and responsibilities of an adult as defined in IC 1-1-4-5(a)(1). If the juvenile court partially or completely** emancipates the child, the court shall specify the terms of the emancipation, which may include the following:

(1) Suspension of the parent's or guardian's duty to support the child. In this case, the judgment of emancipation supersedes the support order of a court.

(2) Suspension of the following:

(A) The parent's or guardian's right to the control or custody of the child.

(B) The parent's right to the child's earnings.

(3) Empowering the child to consent to marriage.

(4) (3) Empowering the child to consent to military enlistment.

(5) (4) Empowering the child to consent to:

(A) medical;

(B) psychological;

(C) psychiatric;

(D) educational; or

(E) social;

services.

(6) (5) Empowering the child to contract.

(7) (6) Empowering the child to own property.

(e) An emancipated child remains subject to the following:

(1) IC 20-33-2 concerning compulsory school attendance.

(2) The continuing jurisdiction of the court.

(3) **IC 31-11-1-4 concerning minimum age for marriage.**

(4) **Other specific constitutional and statutory age requirements applicable to the emancipated child because of the emancipated child's age, including requirements regarding voting, use of alcoholic beverages or tobacco products, and other health and safety regulations.**

SECTION 17. IC 31-37-19-27, AS AMENDED BY P.L.85-2017, SECTION 107, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 27. (a) The juvenile court **for the county in which a child resides** may emancipate a child under section 1(a)(5) or 5(b)(5) of this chapter **upon a petition brought by the child.**

(b) The court in which a petition is filed under subsection (a) shall appoint an attorney to serve as guardian ad litem for the child. The guardian ad litem shall investigate the statements contained in the petition and file a report of the investigation with the court.

(c) After receiving the report of the guardian ad litem under subsection (b) and holding a hearing, the court may grant the petition if the court finds that the child:

(1) wishes to be free from parental control and protection and no longer needs that control and protection;

(2) has sufficient money for the child's own support;

(3) understands the consequences of being free from parental control and protection; and

(4) has an acceptable plan for independent living.

(b) (d) ~~Whenever~~ If the juvenile court **completely emancipates the child, the child has all the rights and responsibilities of an adult as defined in IC 1-1-4-5(a)(1). If the juvenile court partially or completely** emancipates the child, the court shall specify the terms of the emancipation, which may include the following:

(1) Suspension of the parent's or guardian's duty to support the child. In this case, the judgment of emancipation supersedes the support order of a court.

(2) Suspension of:

(A) the parent's or guardian's right to the control or custody of the child; and

(B) the parent's right to the child's earnings.

(3) Empowering the child to consent to marriage.

(4) (3) Empowering the child to consent to military enlistment.

(5) (4) Empowering the child to consent to:

(A) medical;

(B) psychological;

(C) psychiatric;

(D) educational; or

(E) social;

services.

(6) (5) Empowering the child to contract.

(7) (6) Empowering the child to own property.

(e) An emancipated child remains subject to the following:

(1) IC 20-33-2 concerning compulsory school attendance.

(2) The continuing jurisdiction of the court.

(3) **IC 31-11-1-4 concerning minimum age for marriage.**

(4) **Other specific constitutional and statutory age requirements applicable to the emancipated child because of the emancipated child's age, including requirements regarding voting, use of alcoholic beverages or tobacco products, and other health and safety regulations.**

SECTION 18. IC 35-52-31-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 2. ~~IC 31-11-1-2 defines a crime concerning marriage.~~

SECTION 19. **An emergency is declared for this act.**

Renumber all SECTIONS consecutively.

(Reference is to SB 289 as reprinted February 4, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

DEVON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 295, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 2. IC 20-23-4-21.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 21.5. (a) This section applies to a community school corporation created by a reorganization under this chapter.

(b) After June 30, 2020, a teacher who:

(1) is employed in a school corporation subject to this chapter;

(2) loses his or her job in the school corporation because of a reorganization under this chapter; and

(3) has received a rating of effective or highly effective on his or her most recent performance evaluation;

shall receive an employment preference over other candidates for the same vacant teaching position, for a period of not more than one (1) year after the teacher loses his or her job under subdivision (2), at the community school corporation created by a reorganization under this chapter. In order to qualify for a hiring preference for a vacant teaching position under this section, the teacher must meet the licensing or credential requirements necessary for the teacher to teach the particular grade or subject matter for that particular teaching position.

SECTION 3. IC 20-23-4-21.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 21.6. After June 30, 2020, a teacher who:

- (1) is employed in a school corporation subject to this chapter;
- (2) loses his or her job in the school corporation because of a reorganization under this chapter; and
- (3) not later than one (1) year after the teacher loses his or her job as described in subdivision (2), is subsequently employed by a community school corporation created by a reorganization under this chapter;

retains the rights and privileges under IC 20-28-6 through IC 20-28-10 that the teacher held at the time the teacher lost his or her job in the original school corporation.

SECTION 4. IC 20-28-8-6, AS AMENDED BY P.L.208-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) A contract entered into by a governing body and its superintendent is subject to the following conditions:

- (1) If the superintendent holds a license under IC 20-28-5, the basic contract must be in the form of the regular teacher's contract.
- (2) The contract may be altered or rescinded for a new one at any time by mutual consent of the governing body and the superintendent. The consent of both parties must be in writing and must be expressed in a manner consistent with this section and section 7 of this chapter.
- (3) If the superintendent holds a license under IC 20-28-5, the rights of a superintendent as a teacher under any other law are not affected by the contract. However, if a right of a superintendent as a teacher under any other law conflicts with the conditions under subsection (b), subsection (b) governs.
- (4) For a contract entered into or renewed after June 30, 2017, the conditions set forth under subsection (b).

(b) This subsection applies to contracts entered into or renewed after June 30, 2017. A contract entered into by a governing body and its superintendent is subject to the following conditions:

- (1) The contract must be for a term of at least one (1) year and not more than three (3) years. However, a contract may be extended for not more than an additional five (5) years beyond the term of the original contract.
- (2) If the contract contains a provision that establishes an amount the governing body must pay to the superintendent to buy out the contract, the amount may not be more than an amount equal to the lesser of:
 - (A) the superintendent's salary for any one (1) year under the contract; or
 - (B) two hundred fifty thousand dollars (\$250,000).

A superintendent's salary under clause (A) does not include benefits or any other forms of compensation that the superintendent receives as payment under the contract other than the superintendent's salary.

(c) This subsection applies to a governing body in which at least one (1) member is elected. After June 30, 2021, a governing body may not enter into a contract with a superintendent under this section on or after the date of the

election for one (1) or more members of the governing body until the date the member or members of the governing body assume office after the election. However, this subsection does not apply if the membership of the governing body does not change as a result of the particular election."

Page 5, delete lines 30 through 42.

Page 6, delete lines 1 through 3.

Page 6, line 24, delete "submit and present orally," and insert "submit,".

Page 6, line 33, after "number" insert "and percentage".

Page 6, line 33, delete "courses offered in" and insert "unique student course enrollments and course completions for".

Page 6, line 36, delete "students enrolled" and insert "unique student enrollments and course completions".

Page 6, line 37, after "course" insert "by each course title approved by the department and".

Page 7, after line 42, begin a new paragraph and insert:

"SECTION 6. IC 20-32-5.1-17, AS AMENDED BY P.L.269-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) The state board shall approve two (2) or more benchmark, formative, interim, or similar assessments to identify students that require remediation and provide individualized instruction in which a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may receive a grant under subsection (c). The benchmark, formative, interim, or similar assessments must show alignment, verified by a third party, to Indiana's academic standards. **The majority of the assessment reporting must indicate performance based on Indiana academic standards and reflect the degree to which students are on track for college and career readiness.** Approved assessments must also provide predictive study results for student performance on the statewide assessment under section 7 of this chapter, not later than two (2) years after the summative assessment has been first administered.

(b) A school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may elect to administer a benchmark, formative, interim, or similar assessment described in subsection (a). If a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) administers an assessment described in subsection (a), the school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may prescribe the time and the manner in which the assessment is administered.

(c) If a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) elects to administer a benchmark, formative, interim, or similar assessment described in subsection (a), the school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) is entitled to receive a grant or reimbursement from the department in an amount not to exceed the cost of the assessment. The department shall provide grants and reimbursements to a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) under this section from money appropriated to the department for the purpose of carrying out this section.

(d) The state board and the department may not contract with, approve, or endorse the use of a single vendor to provide benchmark, formative, interim, or similar assessments for any grade level or levels of kindergarten through grade 7.

SECTION 7. IC 20-33-8-18, AS AMENDED BY P.L.94-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) A principal may suspend a student for not more than ten (10)

school days under section 14, 15, or 16 of this chapter. However, the student may be suspended for more than ten (10) school days under section 23 of this chapter.

(b) A principal may not suspend a student before the principal affords the student an opportunity for a meeting during which the student is entitled to the following:

- (1) A written or an oral statement of the charges against the student.
- (2) If the student denies the charges, a summary of the evidence against the student.
- (3) An opportunity for the student to explain the student's conduct.

(c) When misconduct requires immediate removal of a student, the meeting under subsection (b) must begin as soon as reasonably possible after the student's suspension.

(d) Following a suspension, the principal shall send a written statement to the parent of the suspended student describing the following:

- (1) The student's misconduct.
- (2) The action taken by the principal.

(e) If a student is suspended, the student is required to complete all assignments and school work assigned during the period of the student's suspension. The principal or the principal's designee shall ensure that the student receives:

- (1) notice of any assignments or school work due; ~~and~~
- (2) teacher contact information in the event the student has questions regarding the assignments or school work; ~~and~~
- (3) **credit, in the same manner that a student who is not suspended would receive, for any assignments or school work assigned during the period of the student's suspension that the student completes.**

A student may be allowed to make up missed tests or quizzes when the student returns to school."

Renumber all SECTIONS consecutively.

(Reference is to SB 295 as printed January 31, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 340, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-22-1-11, AS AMENDED BY P.L.54-2009, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) An officer who finds or is notified of a vehicle or parts believed to be abandoned shall attach in a prominent place a notice tag containing the following information:

- (1) The date, time, officer's name, public agency, and address and telephone number to contact for information.
- (2) That the vehicle or parts are considered abandoned.
- (3) That the vehicle or parts will be removed after:
 - (A) twenty-four (24) hours, if the vehicle is located on or within the right-of-way of an interstate highway or any highway that is designated as part of the state highway system under IC 8-23-4; or
 - (B) **except as provided in subsection (b),** seventy-two (72) hours, for any other vehicle.
- (4) That the person who owns the vehicle will be held responsible for all costs incidental to the removal, storage, and disposal of the vehicle.
- (5) That the person who owns the vehicle may avoid costs by removal of the vehicle or parts within:
 - (A) twenty-four (24) hours, if the vehicle is located on

or within the right-of-way of an interstate highway or any highway that is designated as part of the state highway system under IC 8-23-4; or

(B) seventy-two (72) hours, for any other vehicle **except as provided under subsection (b).**

(b) The legislative body of a municipality (as defined in IC 36-1-2-11) may adopt an ordinance that establishes a different waiting period for the removal of an abandoned vehicle, that must be at least seventy-two (72) hours but not more than fourteen (14) days, for the purpose of allowing a person to park their vehicle that is registered to their residence on the street outside of that residence.

SECTION 2. IC 9-22-1-14, AS AMENDED BY P.L.125-2012, SECTION 121, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) If in the opinion of the officer the market value of the abandoned vehicle or parts is at least:

- (1) one thousand dollars (\$1,000); or
- (2) in a municipality that has adopted an ordinance under section 13(b) of this chapter, the amount established by the ordinance;

the officer, before placing a notice tag on the vehicle or parts, shall make a reasonable effort to ascertain the person who owns the vehicle or parts or who may be in control of the vehicle or parts.

(b) Except as provided under section 11(b) of this chapter, after seventy-two (72) hours, the officer shall require the vehicle or parts to be towed to a storage yard or towing service.

SECTION 3. IC 32-21-2-3, AS AMENDED BY P.L.14-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Except as provided in subsection (c), a conveyance, a mortgage, or an instrument of writing to be recorded must be:

- (1) acknowledged by the grantor; ~~or and~~
- (2) proved before a:
 - (A) judge;
 - (B) clerk of a court of record;
 - (C) county auditor;
 - (D) county recorder;
 - (E) notary public;
 - (F) mayor of a city in Indiana or any other state;
 - (G) commissioner appointed in a state other than Indiana by the governor of Indiana;
 - (H) minister, charge d'affaires, or consul of the United States in any foreign country;
 - (I) clerk of the city county council for a consolidated city, city clerk for a second class city, or clerk-treasurer for a third class city;
 - (J) clerk-treasurer for a town; or
 - (K) person authorized under IC 2-3-4-1.

(b) In addition to the requirements under subsection (a), a conveyance may not be recorded after June 30, 2007, unless it meets the requirements of this subsection. The conveyance must include a statement containing substantially the following information:

"The mailing address to which statements should be mailed under IC 6-1.1-22-8.1 is [insert proper mailing address]. The mailing address of the grantee is [insert proper mailing address]."

The mailing address for the grantee must be a street address or a rural route address. A conveyance complies with this subsection if it contains the address or addresses required by this subsection at the end of the conveyance and immediately preceding or following the statements required by IC 36-2-11-15.

(c) This section does not apply to the Indiana department of transportation."

Page 1, line 6, reset in roman "and to show cause, if any, why the property sought".

Page 1, line 7, reset in roman "to be condemned should not be acquired."

Page 1, line 7, delete "to object to the".

Page 1, line 8, delete "condemnation."

Page 3, line 12, after "(h)" insert **"This subsection does not apply to a condemnation action brought by a public utility (as defined in section 5.9(a) of this chapter) or by a pipeline company."**

Page 3, line 16, delete "objection." and insert **"objection, in an amount not to exceed twenty-five thousand dollars (\$25,000)."**

Page 5, line 10, after "located." reset in roman "The".

Page 5, reset in roman line 11.

Page 5, delete lines 12 through 43, begin a new paragraph and insert:

"SECTION 4. IC 32-24-2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) The appeal may be taken by filing an original complaint in the court against the municipality within the time required by section ~~10(c)~~ **10(d)** of this chapter, setting forth the action of the works board with respect to the assessment and stating the facts relied upon as showing an error on the part of the board. The court shall rehear the matter of the assessment de novo and confirm, reduce, or increase the assessment. If the court reduces the amount of benefit assessed or increases the amount of damages awarded, the plaintiff may recover costs. If the court confirms the amount of the assessment, the plaintiff may not recover costs. ~~The judgment of the court is conclusive, and an appeal may not be taken from the court's judgment.~~

(b) If upon appeal the benefits assessed or damages awarded by the works board are reduced or increased, the municipality may, upon the payment of costs, discontinue the proceedings. It may also, through the works board, make and adopt an additional assessment against all the property originally assessed in the proceeding, or that part that is benefitted, in the manner provided for the original assessment. However, such an assessment against any one (1) piece of property may not exceed ten percent (10%) of the original assessment against it.

(c) If the municipality decides to discontinue the proceedings upon payment of costs and if assessments for benefits have already been paid, the amounts paid shall be paid back to the person or persons paying them.

(d) The parties may appeal a court's judgment under this section in the manner that appeals are taken from final judgments in civil actions. All of the parties shall take notice of and be bound by the judgment of the appeal."

Page 6, delete lines 1 through 7.

Page 7, after line 8, begin a new paragraph and insert:

"SECTION 8. IC 32-31-1-20, AS AMENDED BY P.L.266-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20. (a) Subject to IC 36-1-3-8.5, this section does not apply to privately owned real property for which government funds or benefits have been allocated from the United States government, the state, or a political subdivision for the express purpose of providing reduced rents to low or moderate income tenants.

(b) A unit (as defined in IC 36-1-2-23) may not regulate rental rates for privately owned real property, through a zoning ordinance or otherwise, unless the regulation is authorized by an act of the general assembly.

(c) A unit (as defined in IC 36-1-2-23) may not regulate, through an ordinance or otherwise, any of the following aspects of a landlord-tenant relationship with respect to privately owned real property located in the unit unless the regulation is authorized by an act of the general assembly:

- (1) The screening process used by a landlord in approving tenants to lease privately owned real property.**
- (2) Security deposits.**
- (3) Lease applications.**

(4) Leasing terms and conditions.

(5) Disclosures concerning the:

(A) property;

(B) lease; or

(C) rights and responsibilities of the parties; involved in a landlord-tenant relationship.

(6) The rights of the parties to a lease.

(7) Any fees charged by a landlord.

(8) Any other aspects of the landlord-tenant relationship.

Any ordinance or regulation adopted before July 1, 2020, that violates this subsection is void and unenforceable.

SECTION 9. IC 32-31-8.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 8.5. Retaliatory Acts by Landlords

Sec. 1. The definitions in IC 32-31-3 apply throughout this chapter.

Sec. 2. As used in this chapter, "protected activity" means any of the following actions taken by a tenant:

(1) Complaining to a governmental entity responsible for enforcing an applicable building or housing code about a violation with respect to the rental premises that materially affects health or safety.

(2) Making a written complaint:

(A) to the landlord; and

(B) in accordance with the rental agreement or an applicable state statute; concerning the habitability of the rental premises.

(3) Bringing an action against the landlord under IC 32-31-8.

(4) Organizing or becoming a member of a tenant's organization.

(5) Testifying in a court proceeding or an administrative hearing against the landlord.

Sec. 3. As used in this chapter, "rental premises" has the meaning set forth in IC 32-31-7-3.

Sec. 4. As used in this chapter, "retaliatory act" means any of the following actions taken by a landlord in response to a tenant's engaging in a protected activity:

(1) Increasing the amount of the tenant's rent.

(2) Decreasing, terminating, or interfering with services provided to the rental premises.

(3) Bringing or threatening to bring an action for possession of the rental premises.

(4) Bringing or threatening to bring an action to:

(A) evict the tenant from the rental premises; or

(B) otherwise terminate the tenant's rental agreement before the expiration of the term of the rental agreement.

Sec. 5. (a) Subject to subsection (b), and except as provided in subsection (c), a landlord may not engage in a retaliatory act in response to a tenant's engaging in one (1) or more protected activities.

(b) Subsection (a) does not prohibit a landlord from doing any of the following:

(1) Declining to renew a rental agreement at the conclusion of the term of the rental agreement.

(2) Increasing a tenant's rent to that which is charged for comparable market rentals, regardless of whether the increase is effective:

(A) at the conclusion of the term of the rental agreement; or

(B) if provided for in the rental agreement, during the term of the rental agreement.

(3) Subject to applicable law, decreasing or terminating one (1) or more services provided to the rental premises, if those services are decreased or terminated to all tenants on an equal basis.

(c) A landlord may bring an action described in section 4(3) or 4(4) of this chapter (including as a petition for an

emergency possessory order under IC 32-31-6) under the following circumstances, or as otherwise authorized by law:

(1) A violation described in section 2(1) of this chapter is caused primarily by the intentional or negligent acts of, or a lack of reasonable care by:

(A) the tenant;

(B) an authorized occupant of the rental premises; or

(C) a guest or invitee of the tenant.

(2) The tenant is in default with respect to rent due and has failed to cure the default within the time set forth in:

(A) IC 32-31-1-6; or

(B) the rental agreement.

(3) Compliance with an applicable building or housing code requires alteration, remodeling, or demolition of the rental premises, such that the tenant would be effectively deprived of use of the rental premises.

(4) The tenant is in noncompliance with a provision of the rental agreement, and the noncompliance materially affects the health or safety of the tenant or others.

(5) The tenant's rental agreement is for a definite term, and the tenant holds over after expiration of the term.

(6) The landlord's action for possession of the rental premises is made:

(A) in good faith; and

(B) before the tenant engages in a protected activity.

(7) The landlord seeks in good faith to take possession of the rental premises at the end of the term of the tenant's rental agreement in order to:

(A) use the rental premises as the landlord's own abode;

(B) alter, remodel, or demolish the rental premises in a manner that requires the complete displacement of the tenant's household; or

(C) terminate for a period of at least six (6) months the use of the property as a rental unit.

Sec. 6. (a) If a landlord brings an action described in section 4(3) or 4(4) of this chapter, the tenant may assert as a defense that:

(1) the landlord's suit constitutes a retaliatory act; or

(2) the landlord has engaged in one (1) or more other retaliatory acts.

The burden for proving the landlord's retaliatory intent is on the tenant.

(b) If the court finds that the landlord has engaged in a retaliatory act, the tenant is entitled to:

(1) the repayment or credit of up to one (1) month's rent; and

(2) possession of the rental premises under the terms of the rental agreement in effect at the time the action was commenced.

(c) If the court finds that the tenant's asserted defense under this section is without merit or was asserted in bad faith or for the purpose of delaying the landlord's possession of the rental premises, the landlord is entitled to recover actual damages and attorney fees.

Sec. 7. A unit (as defined in IC 36-1-2-23) may not adopt or enforce any:

(1) ordinance; or

(2) regulation;

concerning retaliatory acts by landlords. Any ordinance or regulation adopted before July 1, 2020, that violates this subsection is void and unenforceable."

Renumber all SECTIONS consecutively.

(Reference is to SB 340 as reprinted January 28, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 2.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 346, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 20-19-2-2.2, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.2. (a) Beginning June 1, 2015, the state board consists of the following members:

(1) The state superintendent.

(2) Eight (8) members appointed by the governor. The following provisions apply to members of the state board appointed under this subdivision:

(A) At least six (6) members appointed under this subdivision must have professional experience in the field of education as provided in subsection (b).

(B) Members shall be appointed from different parts of Indiana with not more than one (1) member being appointed from a particular congressional district.

(C) Not more than five (5) members of the state board may be appointed from the membership of any one (1) political party.

(D) Subject to subsection (h), at least one (1) member shall be a licensed special education teacher or special education director.

(3) One (1) member, who is not a member of the general assembly, appointed by the speaker of the house of representatives.

(4) One (1) member, who is not a member of the general assembly, appointed by the president pro tempore of the senate.

(b) For purposes of subsection (a), an individual is considered to have professional experience in the field of education if the individual has teaching or leadership experience at a postsecondary educational institution or is currently employed as, or is retired from a position as:

(1) a teacher;

(2) a principal;

(3) an assistant superintendent; or

(4) a superintendent.

(c) A quorum consists of six (6) members of the state board. An action of the state board is not official unless the action is authorized by at least six (6) members.

(d) ~~Subject to subsection (e)~~; The members of the state board shall elect a chairperson and vice chairperson annually from the members of the state board. The vice chairperson shall act as chairperson in the absence of the chairperson.

(~~e~~) Notwithstanding subsection (d), the state superintendent shall serve as the chairperson of the state board until a chairperson is elected under subsection (d) at the first meeting of the state board after December 31, 2016, which shall be held not later than January 15, 2017. A vice chairperson shall be elected at the first meeting of the state board after June 30, 2015, which shall be held not later than August 1, 2015. This subsection expires July 1, 2018.

(~~f~~) (e) Except as otherwise provided in subsection (~~g~~); (f), each member appointed under subsection (a)(2) through (a)(4) serves a four (4) year term. The term begins on July 1.

(~~g~~) (f) A member appointed under subsection (a)(2) through (a)(4) may be removed from the state board by the member's appointing authority for just cause. Vacancies in the

appointments to the state board shall be filled by the appointing authority. A member appointed under this subsection serves for the remainder of the unexpired term.

(h) (g) The state board shall meet at a minimum at least one (1) time each month. The state board shall establish the date of the next monthly meeting during the monthly meeting of the state board. In addition to the monthly meeting required under this subsection, the state board shall meet at the call of the chairperson.

(h) This subsection expires July 1, 2024. The governor shall appoint a member who has the qualifications described in subsection (a)(2)(D) for the first appointment made by the governor to fill a vacancy on the state board after March 31, 2020.

SECTION 2. IC 20-19-9.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 9.1. Indiana Standards and Assessment Accommodation Task Force

Sec. 1. As used in this chapter, "task force" refers to the Indiana standards and assessment accommodation task force established by section 2 of this chapter.

Sec. 2. (a) The Indiana standards and assessment accommodation task force is established. The task force shall review:

- (1) the accommodations provided for by Indiana's statewide assessment to determine if appropriate accommodations are available to accurately measure a student's learning; and
- (2) Indiana's English and language arts academic standards to explore the possibility of separating the academic standard of reading comprehension into a separate reading academic standard and a comprehension academic standard.

On or before November 1, 2020, the task force shall issue a final report and shall make recommendations to the general assembly in an electronic format under IC 5-14-6.

(b) The task force consists of fourteen (14) members as follows:

- (1) One (1) member of the majority party of the house of representatives appointed by the speaker of the house of representatives.
- (2) One (1) member of the majority party of the senate appointed by the president pro tempore of the senate.
- (3) One (1) member of the minority party of the house of representatives appointed by the speaker of the house of representatives in consultation with the minority floor leader of the house of representatives.
- (4) One (1) member of the minority party of the senate appointed by the president pro tempore of the senate in consultation with the minority floor leader of the senate.
- (5) The member of the state board described in IC 20-19-2-2.2(a)(3).
- (6) The member of the state board described in IC 20-19-2-2.2(a)(4).
- (7) One (1) member representing the Arc of Indiana appointed by the Arc of Indiana.
- (8) One (1) member who is an assessment expert with experience in special education assessments appointed by the Arc of Indiana.
- (9) One (1) member representing Decoding Dyslexia Indiana appointed by Decoding Dyslexia Indiana.
- (10) One (1) member who is a special education administrator appointed by the Indiana Council of Administrators of Special Education (ICASE).
- (11) One (1) member who is a special education teacher jointly appointed by the co-chairs of the task force.
- (12) One (1) member who is an assessment expert appointed by the state board.
- (13) The department's director of curriculum and

instruction.

(14) One (1) member representing the department's office of student assessment appointed by the department.

(c) The members described in subsection (b)(1) and (b)(2) shall serve as co-chairpersons for the task force. The task force shall meet at the call of the co-chairpersons.

(d) A quorum consists of the majority of the members of the task force.

(e) The affirmative votes of a majority of the members of the task force are required for the task force to take action on any measure.

Sec. 3. (a) A member of the task force who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) A member of the task force who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) A member of the task force who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from current appropriations made to the legislative council or the legislative services agency.

Sec. 4. The legislative services agency shall staff the task force.

Sec. 5. This chapter expires July 1, 2021.

SECTION 3. IC 20-32-5.1-6, AS ADDED BY P.L.242-2017, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Sec. 6. (a) The state board shall:

- (1) authorize and oversee the department's development and implementation of the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program, including:

- (A) establishment of criteria for requests for proposals for statewide assessments developed or authorized under this chapter;
- (B) establishment of criteria for membership of evaluation teams; and
- (C) establishment of criteria for content and format of the statewide assessment; and

- (2) require the department to conduct ongoing analysis of whether the statewide assessment results are predictive of success in college and career training programs.

(b) The passing scores on a statewide assessment must be determined by statistically valid and reliable methods as determined by independent experts selected by the state board.

(c) The state board shall consult with one (1) or more individuals who specialize in special education as part of the state board's oversight of the development and implementation of the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN).

(d) The state superintendent, with the approval of the state board, is responsible for the development, implementation, and monitoring of the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program.

(e) The department shall prepare detailed design

specifications for the statewide assessment developed under this chapter that must do the following:

- (1) Take into account the academic standards adopted under IC 20-31-3.
- (2) Include testing of students' higher level cognitive thinking in each subject area tested.

(e) (f) A statewide assessment described in section 7 of this chapter may be in a form that allows the department and the state board, to the extent possible, to compare the proficiency of Indiana students to the proficiency of students in other states. A statewide assessment may consist of original test items for Indiana's exclusive use if the state board determines that:

- (1) developing original test items for Indiana's exclusive use will result in cost savings; or
- (2) it would be impractical to develop a statewide assessment adequately aligned to Indiana's academic standards without including original test items developed for Indiana's exclusive use.

SECTION 4. IC 20-32-5.1-18.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 18.4. Notwithstanding any other law, a student's score on the statewide assessment may not be the primary factor or measure used to determine whether a student is eligible for a particular course or program."**

Delete page 2.

Page 3, delete lines 1 through 16.

Page 3, line 22, strike "particular".

Page 3, line 22, after "student" insert **"in grades 6 through 12"**.

Page 3, line 23, after "program" strike "as" and insert **"if that accommodation is"**.

Page 3, line 31, delete "may not issue" and insert **"must submit any"**.

Page 3, line 32, after "recommendations" insert **"the department plans to distribute"**.

Page 3, line 35, after "(a)" delete "." and insert **"to the state board for approval."**

Page 3, line 42, after "IAC 7-49" insert ";".

Page 4, after line 1, begin a new paragraph and insert:

"(d) This subsection expires July 1, 2022. The department, in consultation with the Arc of Indiana and Indiana Council of Administrators of Special Education (ICASE), shall develop a notice to parents of a student who has:

- (1) an individualized education program;**
- (2) a service plan developed under 511 IAC 7-34;**
- (3) a choice scholarship education plan developed under 511 IAC 7-49; or**
- (4) a plan developed under Section 504 of the federal Rehabilitation Act, 29 U.S.C. 794;**

that explains changes being made to the statewide assessment that may pertain to a child with a disability. The department shall distribute a copy of the notice to each public school, including a charter school and accredited nonpublic school. On or before February 1, 2021, the public school, including a charter school or accredited nonpublic school, shall provide the notice to the parent of a child with a disability during an in-person meeting where the educational progress of the child with a disability is discussed. During the meeting, a discussion and determination of whether the child with a disability may be eligible to opt out of any applicable section of the statewide assessment must occur.

SECTION 6. **An emergency is declared for this act."**

Re-number all SECTIONS consecutively.

(Reference is to SB 346 as reprinted February 4, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Financial Institutions, to which was referred Senate Bill 395, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 35 through 42, begin a new paragraph and insert:

"SECTION 2. IC 24-4.5-2-201, AS AMENDED BY P.L.91-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 201. Credit Service Charge for Consumer Credit Sales ~~other than Revolving Charge Accounts~~ — (1) **Except as provided in subsections (8) and (11),** with respect to a consumer credit sale, ~~other than a sale pursuant to a revolving charge account,~~ a seller may contract for and receive a credit service charge not exceeding that permitted by this section.

(2) The credit service charge, calculated according to the actuarial method, may not exceed the equivalent of the greater of:

(a) the total of:

(i) thirty-six percent (36%) per year on that part of the unpaid balances of the amount financed (**as defined in section 111 of this chapter**) which is two thousand dollars (\$2,000) or less;

(ii) twenty-one percent (21%) per year on that part of the unpaid balances of the amount financed (**as defined in section 111 of this chapter**) which is more than two thousand dollars (\$2,000) but does not exceed four thousand dollars (\$4,000); and

(iii) fifteen percent (15%) per year on that part of the unpaid balances of the amount financed (**as defined in section 111 of this chapter**) which is more than four thousand dollars (\$4,000); or

(b) twenty-five percent (25%) per year on the unpaid balances of the amount financed (**as defined in section 111 of this chapter**).

(3) **In the case of a sale agreement entered into before July 1, 2020,** this section does not limit or restrict the manner of contracting for the credit service charge, whether by way of add-on, discount, or otherwise, so long as the rate of the credit service charge does not exceed that permitted by this section. If the sale is precomputed:

(a) the credit service charge may be calculated on the assumption that all scheduled payments will be made when due; and

(b) the effect of prepayment is governed by the provisions on rebate upon prepayment in section 210 of this chapter.

(4) **The following apply to a sale agreement for a consumer credit sale (or for the refinancing or consolidation of a consumer credit sale) that is entered into after June 30, 2020:**

(a) **The credit service charge authorized by this section must be:**

(i) contracted for between the seller and the debtor; and

(ii) calculated by applying a rate not exceeding the rate set forth in subsection (2) to unpaid balances of the amount financed (**as defined in section 111 of this chapter**).

(b) **A sale agreement for a precomputed consumer credit sale is prohibited.**

(c) Subject to subsection (13), in addition to the credit service charge authorized by subsection (2) and to any other fees permitted by this chapter, and not subject to the rate set forth in subsection (2), the seller may contract for and receive as a condition for, or an incident to, the extension of credit a nonrefundable prepaid finance charge under subsection (11), whether the charge is:

- (i) paid separately in cash or by check before or at consummation; or
- (ii) withheld from the proceeds of the consumer credit sale.

(4) (5) For the purposes of this section, the term of a sale agreement commences with the date the credit is granted or, if goods are delivered or services performed more than thirty (30) days after that date, with the date of commencement of delivery or performance except as set forth below:

(a) Delays attributable to the customer. Where the customer requests delivery after the thirty (30) day period or where delivery occurs after the thirty (30) day period for a reason attributable to the customer (including but not limited to failure to close on a residence or failure to obtain lease approval), the term of the sale agreement shall commence with the date credit is granted.

(b) Partial Deliveries. Where any portion of the order has been delivered within the thirty (30) day period, the term of the sale agreement shall commence with the date credit is granted.

Differences in the lengths of months are disregarded and a day may be counted as one-thirtieth (1/30) of a month. Subject to classifications and differentiations the seller may reasonably establish, a part of a month in excess of fifteen (15) days may be treated as a full month if periods of fifteen (15) days or less are disregarded and that procedure is not consistently used to obtain a greater yield than would otherwise be permitted.

(6) With respect to a consumer credit sale made pursuant to a revolving charge account, the parties to the sale may contract for the payment by the buyer of a credit service charge not exceeding that permitted in this section, subject to the following:

(a) The credit service charge contracted for and received may not exceed a charge in each monthly billing cycle which is either two and eighty-three thousandths percent (2.083%) of an amount not greater than:

- (i) the average daily balance of the account;
- (ii) the unpaid balance of the account on the same day of the billing cycle; or
- (iii) subject to subsection (7), the median amount within a specified range within which the average daily balance of the account or the unpaid balance of the account, on the same day of the billing cycle, is included.

For purposes of clauses (ii) and (iii), a variation of not more than four (4) days from month to month is "the same day of the billing cycle".

(b) If the billing cycle is not monthly, the maximum charge is that percentage which bears the same relation to the applicable monthly maximum percentage as the number of days in the billing cycle bears to thirty (30).

(c) Notwithstanding subdivision (a), if there is an unpaid balance on the date as of which the credit service charge is applied, the seller may contract for and receive a charge not exceeding fifty cents (\$0.50) if the billing cycle is monthly or longer, or the pro rata part of fifty cents (\$0.50) which bears the same relation to fifty cents (\$0.50) as the number of days in the billing cycle bears to thirty (30) if the billing cycle is shorter than monthly. However, a seller may not contract for or receive a charge under this subdivision

if the seller has made an annual charge for the same period as permitted by the provisions on additional charges in section 202(1)(e) of this chapter.

(5) (7) Subject to classifications and differentiations the seller may reasonably establish, the seller may make the same credit service charge on all amounts financed within a specified range. A credit service charge so made does not violate subsection (2) if:

(a) when applied to the median amount within each range, it does not exceed the maximum permitted by subsection (2); and

(b) when applied to the lowest amount within each range, it does not produce a rate of credit service charge exceeding the rate calculated according to paragraph subdivision (a) by more than eight percent (8%) of the rate calculated according to paragraph subdivision (a).

(6) (8) Notwithstanding subsection (2), with respect to a consumer sale other than a sale under a revolving charge account, the seller may contract for and receive a minimum credit service charge of not more than thirty dollars (\$30). The minimum credit service charge allowed under this subsection may be imposed only if the seller does not contract for or receive a nonrefundable prepaid finance charge under subsection (11) and:

(a) the debtor prepaids in full a consumer credit sale, refinancing, or consolidation, regardless of whether the sale, refinancing, or consolidation is precomputed;

(b) the sale, refinancing, or consolidation prepaid by the debtor is subject to a credit service charge that:

- (i) is contracted for by the parties; and
- (ii) does not exceed the rate prescribed in subsection (2); and

(c) the credit service charge earned at the time of prepayment is less than the minimum credit service charge contracted for under this subsection.

(7) (9) The amounts of two thousand dollars (\$2,000) and four thousand dollars (\$4,000) in subsection (2) are subject to change pursuant to the provisions on adjustment of dollar amounts (IC 24-4.5-1-106). However, notwithstanding IC 24-4.5-1-106(1), the Reference Base Index to be used under this subsection is the Index for October 2012.

(8) (10) The amount of thirty dollars (\$30) in subsection (6) (8) is subject to change under the provisions on adjustment of dollar amounts (IC 24-4.5-1-106). However, notwithstanding IC 24-4.5-1-106(1), the Reference Base Index to be used under this subsection is the Index for October 1992.

(11) This subsection applies to a sale agreement entered into after June 30, 2020. Except as provided in subsection (8), and subject to subsection (13), in addition to the credit service charge authorized by subsection (2), and to any other fees permitted by this chapter, a seller may contract for and receive a nonrefundable prepaid finance charge in an amount which is not more than:

(a) seventy-five dollars (\$75) for an amount financed (as defined in section 111 of this chapter) which is two thousand dollars (\$2,000) or less;

(b) one hundred fifty dollars (\$150) for an amount financed (as defined in section 111 of this chapter) which is more than two thousand dollars (\$2,000) but does not exceed four thousand dollars (\$4,000); and

(c) two hundred dollars (\$200) for an amount financed (as defined in section 111 of this chapter) which is more than four thousand dollars (\$4,000).

The nonrefundable prepaid finance charge is not subject to refund or rebate. However, any amount charged by the seller, other than by a seller that is a depository institution (as defined in IC 24-4.5-1-301.5(12)), under this subsection that exceeds the applicable amount permitted by this subsection constitutes a violation of this article under

IC 24-4.5-6-107.5(l) and is subject to refund. Any amount charged by a depository institution (as defined in IC 24-4.5-1-301.5(12)) under this subsection that exceeds the applicable amount set forth in this subsection is subject to refund. The amounts in this subsection are not subject to change under IC 24-4.5-1-106.

(12) If the director determines that a seller's accrual method of accounting as applied to a consumer credit sale under this section involves the application of subterfuge for the purpose of circumventing this chapter, the director may conform the credit service charge and fees for the transaction to the limitations set forth in this section and may require a refund of overcharges under IC 24-4.5-6-106(2)(a). A determination by the director under this subsection:

- (a) must be in writing;
- (b) shall be delivered to all parties in the transaction; and
- (c) is subject to IC 4-21.5-3.

(13) At the time of consummation of a consumer credit sale:

- (a) the credit service charge authorized by subsection (2); and
- (b) the nonrefundable prepaid finance charge authorized by subsection (11) (including any amount charged by a depository institution (as defined in IC 24-4.5-1-301.5(12)) that exceeds the applicable amount set forth in subsection (11)) in the case of a sale agreement entered into after June 30, 2020;

are subject to IC 35-45-7 and, when combined, may not exceed the rate set forth in IC 35-45-7-2."

Delete pages 3 through 6.

Page 7, delete lines 1 through 11.

Page 10, line 6, delete "excluding the nonrefundable fee" and insert "subject to section 201(13) of this chapter, excluding the nonrefundable prepaid finance charge".

Delete pages 16 through 19.

Page 20, delete lines 1 through 27, begin a new paragraph and insert:

"SECTION 10. IC 24-4.5-3-201, AS AMENDED BY P.L.159-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 201. Loan Finance Charge for Consumer Loans other than Supervised Loans—(1) Except as provided in subsections ~~(6)~~ (7) and ~~(8)~~ (9), with respect to a consumer loan, other than a supervised loan (as defined in section 501 of this chapter), a lender may contract for a loan finance charge, calculated according to the actuarial method, not exceeding twenty-five percent (25%) per year on the unpaid balances of the principal (as defined in section 107(3) of this chapter).

(2) In the case of a loan agreement entered into before July 1, 2020, this section does not limit or restrict the manner of contracting for the loan finance charge, whether by way of add-on, discount, or otherwise, so long as the rate of the loan finance charge does not exceed that permitted by this section. If the loan is precomputed:

- (a) the loan finance charge may be calculated on the assumption that all scheduled payments will be made when due; and
- (b) the effect of prepayment is governed by the provisions on rebate upon prepayment in section 210 of this chapter.

(3) The following apply to a loan agreement for a consumer loan (or for the refinancing or consolidation of a consumer loan) that is entered into after June 30, 2020:

- (a) The consumer loan is subject to this section, including the limitations set forth in:
 - (i) subsection (1) with respect to the loan finance charge; and
 - (ii) subsection (9)(b) with respect to the amount of the authorized nonrefundable prepaid finance

charge, in the case of a consumer loan that is not secured by an interest in land.

(b) The loan finance charge authorized by this section must be:

- (i) contracted for between the lender and the debtor; and
- (ii) calculated by applying a rate not exceeding the rate set forth in subsection (1) to unpaid balances of the principal (as defined in section 107(3) of this chapter).

(c) A loan agreement for a precomputed consumer loan is prohibited.

(d) Subject to subsection (12), in addition to the loan finance charge authorized by subsection (1) and to any other fees permitted by this chapter, and not subject to the twenty-five percent (25%) rate set forth in subsection (1), the lender may contract for and receive as a condition for, or an incident to, the extension of credit a nonrefundable prepaid finance charge under subsection (9), whether the charge is:

- (i) paid separately in cash or by check before or at consummation; or
- (ii) withheld from the proceeds of the consumer loan.

(~~3~~) (4) For the purposes of this section, the term of a loan commences with the date the loan is made. Differences in the lengths of months are disregarded, and a day may be counted as one-thirtieth (1/30) of a month. Subject to classifications and differentiations the lender may reasonably establish, a part of a month in excess of fifteen (15) days may be treated as a full month if periods of fifteen (15) days or less are disregarded and if that procedure is not consistently used to obtain a greater yield than would otherwise be permitted. For purposes of computing average daily balances, the creditor may elect to treat all months as consisting of thirty (30) days.

(~~4~~) (5) With respect to a consumer loan made pursuant to a revolving loan account:

(a) the loan finance charge shall be deemed not to exceed the maximum annual percentage rate if the loan finance charge contracted for and received does not exceed a charge in each monthly billing cycle which is two and eighty-three thousandths percent (2.083%) of an amount not greater than:

- (i) the average daily balance of the debt;
- (ii) the unpaid balance of the debt on the same day of the billing cycle; or
- (iii) subject to subsection ~~(5)~~ (6), the median amount within a specified range within which the average daily balance or the unpaid balance of the debt, on the same day of the billing cycle, is included; for the purposes of this ~~subparagraph clause~~ and ~~subparagraph clause~~ (ii), a variation of not more than four (4) days from month to month is "the same day of the billing cycle";

(b) if the billing cycle is not monthly, the loan finance charge shall be deemed not to exceed the maximum annual percentage rate if the loan finance charge contracted for and received does not exceed a percentage which bears the same relation to one-twelfth (1/12) the maximum annual percentage rate as the number of days in the billing cycle bears to thirty (30); and

(c) notwithstanding subsection (1), if there is an unpaid balance on the date as of which the loan finance charge is applied, the lender may contract for and receive a charge not exceeding fifty cents (\$0.50) if the billing cycle is monthly or longer, or the pro rata part of fifty cents (\$0.50) which bears the same relation to fifty cents (\$0.50) as the number of days in the billing cycle bears to thirty (30) if the billing cycle is shorter than monthly, but no charge may be made pursuant to this ~~paragraph subdivision~~ if the lender has made an annual charge for

the same period as permitted by the provisions on additional charges in section 202(1)(c) of this chapter.

(5) (6) Subject to classifications and differentiations the lender may reasonably establish, the lender may make the same loan finance charge on all amounts financed within a specified range. A loan finance charge does not violate subsection (1) if:

(a) when applied to the median amount within each range, it does not exceed the maximum permitted by subsection (1); and

(b) when applied to the lowest amount within each range, it does not produce a rate of loan finance charge exceeding the rate calculated according to ~~paragraph subdivision~~ (a) by more than eight percent (8%) of the rate calculated according to ~~paragraph subdivision~~ (a).

(6) (7) With respect to a consumer loan not made pursuant to a revolving loan account, the lender may contract for and receive a minimum loan finance charge of not more than thirty dollars (\$30). The minimum loan finance charge allowed under this subsection may be imposed only if the lender does not ~~assess contract for or receive~~ a nonrefundable prepaid finance charge under subsection (8) (9) and:

(a) the debtor prepays in full a consumer loan, refinancing, or consolidation, regardless of whether the loan, refinancing, or consolidation is precomputed;

(b) the loan, refinancing, or consolidation prepaid by the debtor is subject to a loan finance charge that:

(i) is contracted for by the parties; and

(ii) does not exceed the rate prescribed in subsection (1); and

(c) the loan finance charge earned at the time of prepayment is less than the minimum loan finance charge contracted for under this subsection.

(7) (8) The amount of thirty dollars (\$30) in subsection (6) (7) is subject to change under the provisions on adjustment of dollar amounts (IC 24-4.5-1-106). However, notwithstanding IC 24-4.5-1-106(1), the Reference Base Index to be used under this subsection is the Index for October 1992.

(8) (9) Except as provided in subsection (6) (7), and **subject to subsection (12)**, in addition to the loan finance charge ~~provided for in this section authorized by subsection (1)~~ and to any other charges and fees permitted by this chapter, a lender may contract for and receive a nonrefundable prepaid finance charge of not more than the following:

(a) In the case of a consumer loan that is secured by an interest in land and that:

(i) is not made under a revolving loan account, two percent (2%) of the loan amount; or

(ii) is made under a revolving loan account, two percent (2%) of the line of credit.

(b) In the case of consumer loan that is not secured by an interest in land, fifty dollars (\$50) **if the loan agreement is entered into before July 1, 2020. If the loan agreement is entered into after June 30, 2020, not more than the following:**

(i) **Seventy-five dollars (\$75), in the case of a loan agreement for a principal amount which is two thousand dollars (\$2,000) or less.**

(ii) **One hundred fifty dollars (\$150) in the case of a loan agreement for a principal amount which is more than two thousand dollars (\$2,000) but does not exceed four thousand dollars (\$4,000).**

(iii) **Two hundred dollars (\$200) in the case of a loan agreement for a principal amount which is more than four thousand dollars (\$4,000).**

The amounts in this subsection are not subject to change under IC 24-4.5-1-106.

(9) (10) The nonrefundable prepaid finance charge provided for in subsection (8) (9) is not subject to refund or rebate. **However, for any loan entered into after June 30, 2020, any amount charged by the lender, other than by a lender that**

is a depository institution (as defined in IC 24-4.5-1-301.5(12)), under subsection (9) that exceeds the applicable amount permitted by subsection (9)(b) constitutes a violation of this article under IC 24-4.5-6-107.5(l) and is subject to refund. Any amount charged by a depository institution (as defined in IC 24-4.5-1-301.5(12)) under subsection (9) that exceeds the applicable amount set forth in subsection (9)(b) is subject to refund.

(11) If the director determines that a lender's accrual method of accounting as applied to a consumer loan under this section involves the application of subterfuge for the purpose of circumventing this chapter, the director may conform the loan finance charge and fees for the transaction to the limitations set forth in this section and may require a refund of overcharges under IC 24-4.5-6-106(2)(a). A determination by the director under this subsection:

(a) must be in writing;

(b) shall be delivered to all parties in the transaction; and

(c) is subject to IC 4-21.5-3.

(12) At the time of consummation of a consumer loan:

(a) the loan finance charge authorized by subsection (1); and

(b) the nonrefundable prepaid finance charge authorized by subsection (9) (including any amount charged by a depository institution (as defined in IC 24-4.5-1-301.5(12)) that exceeds the applicable amount set forth in subsection (9)(b));

are subject to IC 35-45-7 and, when combined, may not exceed the rate set forth in IC 35-45-7-2.

(13) Notwithstanding subsections (8) (9) and (9) (10), in the case of a consumer loan that is not secured by an interest in land, if a lender retains any part of a nonrefundable prepaid finance charge charged on a loan that is paid in full by a new loan from the same lender, the following apply:

(a) If the loan is paid in full by the new loan within three (3) months after the date of the prior loan, the lender may not charge a nonrefundable prepaid finance charge on the new loan, or, in the case of a revolving loan, on the increased credit line.

(b) The lender may not assess more than two (2) nonrefundable prepaid finance charges in any twelve (12) month period.

(c) **Subject to subdivisions (a) and (b), if a loan that is entered into by a lender and a debtor before July 1, 2020, is paid in full by a new loan from the same lender after June 30, 2020, the lender may contract for and receive a nonrefundable prepaid finance charge in the amount set forth in subsection (9)(b) for loan agreements entered into after June 30, 2020.**

(14) In the case of a consumer loan that is secured by an interest in land, this section does not prohibit a lender from contracting for and receiving a fee for preparing deeds, mortgages, reconveyances, and similar documents under section 202(1)(d)(ii) of this chapter, in addition to the nonrefundable prepaid finance charge provided for in subsection (8) (9).

Page 23, line 15, reset in roman "prepaid finance charge".

Page 23, line 15, delete "fee".

Page 23, line 20, reset in roman "prepaid finance charge".

Page 23, line 20, delete "fee".

Page 28, delete lines 23 through 42, begin a new paragraph and insert:

"SECTION 16. IC 24-4.5-3-508, AS AMENDED BY P.L.159-2017, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 508. Loan Finance Charge for Supervised Loans – (1) With respect to a supervised loan, including a loan pursuant to a revolving loan account, a supervised lender may contract for and receive a loan finance charge not exceeding that permitted by this section.

(2) The loan finance charge, calculated according to the

actuarial method, may not exceed the equivalent of the greater of:

- (a) the total of:
 - (i) thirty-six percent (36%) per year on that part of the unpaid balances of the principal (**as defined in section 107(3) of this chapter**) which is two thousand dollars (\$2,000) or less;
 - (ii) twenty-one percent (21%) per year on that part of the unpaid balances of the principal (**as defined in section 107(3) of this chapter**) which is more than two thousand dollars (\$2,000) but does not exceed four thousand dollars (\$4,000); and
 - (iii) fifteen percent (15%) per year on that part of the unpaid balances of the principal (**as defined in section 107(3) of this chapter**) which is more than four thousand dollars (\$4,000); or
- (b) twenty-five percent (25%) per year on the unpaid balances of the principal (**as defined in section 107(3) of this chapter**).

(3) **In the case of a loan agreement entered into before July 1, 2020**, this section does not limit or restrict the manner of contracting for the loan finance charge, whether by way of add-on, discount, or otherwise, so long as the rate of the loan finance charge does not exceed that permitted by this section. If the loan is precomputed:

- (a) the loan finance charge may be calculated on the assumption that all scheduled payments will be made when due; and
- (b) the effect of prepayment is governed by the provisions on rebate upon prepayment in section 210 of this chapter.

After June 30, 2020, a loan agreement may not be entered into for a precomputed supervised loan.

(4) The term of a loan for the purposes of this section commences on the date the loan is made. Differences in the lengths of months are disregarded, and a day may be counted as one-thirtieth (1/30) of a month. Subject to classifications and differentiations the lender may reasonably establish, a part of a month in excess of fifteen (15) days may be treated as a full month if periods of fifteen (15) days or less are disregarded and that procedure is not consistently used to obtain a greater yield than would otherwise be permitted.

(5) Subject to classifications and differentiations the lender may reasonably establish, the lender may make the same loan finance charge on all principal amounts within a specified range. A loan finance charge does not violate subsection (2) if:

- (a) when applied to the median amount within each range, it does not exceed the maximum permitted in subsection (2); and
- (b) when applied to the lowest amount within each range, it does not produce a rate of loan finance charge exceeding the rate calculated according to ~~paragraph subdivision~~ (a) by more than eight percent (8%) of the rate calculated according to ~~paragraph subdivision~~ (a).

(6) The amounts of two thousand dollars (\$2,000) and four thousand dollars (\$4,000) in subsection (2) and thirty dollars (\$30) in subsection (7) are subject to change pursuant to the provisions on adjustment of dollar amounts (IC 24-4.5-1-106). However, notwithstanding IC 24-4.5-1-106(1), for the adjustment of the amount of thirty dollars (\$30), the Reference Base Index to be used is the Index for October 1992. Notwithstanding IC 24-4.5-1-106(1), for the adjustment of the amounts of two thousand dollars (\$2,000) and four thousand dollars (\$4,000), the Reference Base Index to be used is the Index for October 2012.

(7) With respect to a supervised loan not made pursuant to a revolving loan account, the lender may contract for and receive a minimum loan finance charge of not more than thirty dollars (\$30). The minimum loan finance charge allowed under this subsection may be imposed only if the lender does not assess a nonrefundable prepaid finance charge under subsection (8) and:

- (a) the debtor prepays in full a consumer loan, refinancing, or consolidation, regardless of whether the loan, refinancing, or consolidation is precomputed;
- (b) the loan, refinancing, or consolidation prepaid by the debtor is subject to a loan finance charge that:
 - (i) is contracted for by the parties; and
 - (ii) does not exceed the rate prescribed in subsection (2); and
- (c) the loan finance charge earned at the time of prepayment is less than the minimum loan finance charge contracted for under this subsection.

(8) Except as provided in ~~subsection~~ **subsections (7) and (10)(c)**, in addition to the loan finance charge provided for in this section and to any other charges and fees permitted by this chapter, the lender may contract for and receive a nonrefundable prepaid finance charge of not more than fifty dollars (\$50) **if the loan agreement is entered into before July 1, 2020. If the loan agreement is entered into after June 30, 2020, not more than the following:**

- (a) **Seventy-five dollars (\$75), in the case of a loan agreement for a principal amount which is two thousand dollars (\$2,000) or less.**
- (b) **One hundred fifty dollars (\$150) in the case of a loan agreement for a principal amount which is more than two thousand dollars (\$2,000) but does not exceed four thousand dollars (\$4,000).**
- (c) **Two hundred dollars (\$200) in the case of a loan agreement for a principal amount which is more than four thousand dollars (\$4,000).**

The amounts in this subsection are not subject to change under IC 24-4.5-1-106.

(9) The nonrefundable prepaid finance charge provided for in subsection (8) is not subject to refund or rebate. **However, for any supervised loan entered into after June 30, 2020, any amount charged by the lender, other than by a lender that is a depository institution (as defined in IC 24-4.5-1-301.5(12)), under subsection (8) that exceeds the applicable amount permitted by subsection (8) constitutes a violation of this article under IC 24-4.5-6-107.5(l) and is subject to refund. Any amount charged by a depository institution (as defined in IC 24-4.5-1-301.5(12)) under subsection (8) that exceeds the applicable amount set forth in subsection (8) is subject to refund.**

(10) Notwithstanding subsections (8) and (9), in the case of a supervised loan that is not secured by an interest in land, if a lender retains any part of a nonrefundable prepaid finance charge charged on a loan that is paid in full by a new loan from the same lender, the following apply:

- (a) If the loan is paid in full by the new loan within three (3) months after the date of the prior loan, the lender may not charge a nonrefundable prepaid finance charge on the new loan, or, in the case of a revolving loan, on the increased credit line.
- (b) The lender may not assess more than two (2) nonrefundable prepaid finance charges in any twelve (12) month period.
- (c) **Subject to subdivisions (a) and (b), if a supervised loan that is entered into by a lender and a debtor before July 1, 2020, is paid in full by a new loan from the same lender after June 30, 2020, the lender may contract for and receive a nonrefundable prepaid finance charge in the amount set forth in subsection (8) for loan agreements entered into after June 30, 2020.**

(11) In the case of a supervised loan that is secured by an interest in land, this section does not prohibit a lender from contracting for and receiving a fee for preparing deeds, mortgages, reconveyances, and similar documents under section 202(1)(d)(ii) of this chapter, in addition to the nonrefundable prepaid finance charge provided for in subsection (8)."

Delete pages 29 through 30.

Page 31, delete lines 1 through 5.
 Page 32, line 1, delete "(\$3.00)," and insert "(\$3)."
 Renumber all SECTIONS consecutively.
 (Reference is to SB 395 as printed January 31, 2020.)
 and when so amended that said bill do pass.
 Committee Vote: yeas 6, nays 3.

BURTON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 398, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.
 Delete pages 2 through 4.
 Page 5, delete lines 1 through 22.
 Page 6, line 2, delete "shall provide," and insert "**may provide**".

Page 6, line 6, after "chapter." insert "**A public school that elects to provide access to an organization under this chapter is not required to provide access to other groups or organizations that are not listed as youth organizations in Title 36 of the United States Code.**".

Page 6, line 7, after "school" insert "**that provides access to an organization under section 4 of this chapter**".

Page 6, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 3. IC 20-30-3-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) Subject to subsection (b), each school corporation and charter school may place a durable poster or framed picture representing:

(1) the national motto of the United States, "In God We Trust"; and

(2) an accurate representation of the:

(A) United States flag; and

(B) Indiana state flag;

which may be positioned under the national motto described in subdivision (1);

in each school library and classroom within the school corporation or charter school.

(b) The durable poster or framed picture described in subsection (a) may be at least eleven (11) inches in height by seventeen (17) inches in width. The dimensions of the national motto, United States flag, and Indiana state flag described in subsection (a) may be as follows:

(1) The national motto described in subsection (a)(1) may be at least four (4) inches in height by fifteen (15) inches in width and include print large enough to fill the dimensions established by this subdivision.

(2) The representation of the United States flag and the Indiana state flag as described in subsection (a)(2) must comply with any applicable federal or state laws concerning the design, dimensions, or presentation of the respective flags."

Page 6, delete lines 30 through 42.

Page 7, delete lines 1 through 40.

Page 8, line 3, delete "This" and insert "**Except as provided in section 6(b) of this chapter, this**".

Page 8, delete line 4.

Page 8, line 5, delete "(2)" and insert "(1)".

Page 8, delete line 7.

Page 8, line 8, delete "(4)" and insert "(2)".

Page 8, line 32, after "equivalency" insert ".".

Page 8, delete lines 33 through 34.

Page 8, line 36, delete "July 1, 2021," and insert "**July 1, 2023,**".

Page 9, line 2, after "equivalency" delete "diploma," and insert ",".

Page 9, between lines 6 and 7, begin a new line block indented and insert:

"(2) The completion of an apprenticeship."

Page 9, delete lines 7 through 9.

Page 9, line 10, delete "(4)" and insert "(3)".

Page 9, delete lines 11 through 13.

Page 9, line 14, delete "10." and insert "9".

Page 9, line 31, delete "11." and insert "10".

Page 10, between lines 3 and 4, begin a new paragraph and insert:

"(c) Except as provided in subsection (a), the school corporation may only use state tuition support received for a student who participates in the program to administer the program."

Page 10, line 4, delete "12." and insert "11".

Page 10, line 8, delete "13." and insert "12".

Page 10, line 17, after "equivalency" delete "diploma".

Page 10, between lines 22 and 23, begin a new line block indented and insert:

"(8) To the extent possible, the use of the funding received by a school corporation for a student participating in the program during the previous school year and metrics of student achievement and demographics, including:

(A) the amount of funding received that was used for each course or program of instruction included in the program;

(B) the amount of funding received that was used for transportation costs for students who participate in the program;

(C) the amount of funding received that was used for any other purposes relating to the cost of education for a student who participated in the program; and

(D) metrics of student achievement and demographic information for those students who participated in the program during the previous school year, including a comparison to the metrics of student achievement and demographic information for those students who were not participants in the program."

Page 10, line 23, delete "(8)" and insert "(9)".

Page 10, line 24, delete "14." and insert "13".

Page 10, delete lines 25 through 42.

Page 11, delete lines 1 through 7.

Renumber all SECTIONS consecutively.

(Reference is to SB 398 as printed January 31, 2020.)
 and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 406, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 406 as printed January 31, 2020.)

Committee Vote: Yeas 13, Nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 409, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 12 with "[EFFECTIVE APRIL 1, 2020]".

Replace the effective dates in SECTIONS 14 through 19 with "[EFFECTIVE APRIL 1, 2020]".

Page 18, line 10, after "1." insert "(a)".

Page 18, line 18, delete "35" and insert "35(a)".

Page 18, line 18, delete "chapter)" and insert "chapter), employment during school hours (section 35(b) of this chapter)".

Page 18, between lines 20 and 21, begin a new paragraph and insert:

"(b) This chapter does not apply to a minor enrolled in a work based learning course (as defined in IC 20-43-8-0.7)."

Page 18, between lines 38 and 39, begin a new paragraph and insert:

"Sec. 10.5. As used in this chapter, "school hours" refers to the hours that the school corporation, within the boundaries of which the minor resides while employed, is in session during the regularly scheduled school year."

Page 26, line 36, after "35." insert "(a)".

Page 26, line 36, delete "section" and insert "subsection".

Page 27, between lines 2 and 3, begin a new paragraph and insert:

"(b) Except as provided in section 37 of this chapter, a person, firm, limited liability company, or corporation may not employ or permit any minor less than sixteen (16) years of age to work in any occupation during school hours on a school day."

Page 28, between lines 27 and 28, begin a new paragraph and insert:

"Sec. 40.5. (a) This section does not provide an exception to the limit on the number of hours a minor is permitted to work under sections 30 through 33 of this chapter."

(b) It is unlawful for a person, firm, limited liability company, or corporation to permit a minor who is:

(1) less than eighteen (18) years of age; and

(2) employed by the person, firm, limited liability company, or corporation;

to work after 10 p.m. and before 6 a.m. in an establishment that is open to the public unless another employee at least eighteen (18) years of age also works in the establishment during the same hours as the minor.

(c) A violation of subsection (b) is a hazardous occupation violation subject to section 45 of this chapter."

Page 30, line 1, after "chapter," insert "each minor employed in violation of section 35(b) of this chapter,".

Page 30, line 2, after "40" insert "or 40.5".

Page 30, line 37, delete "chapter." and insert "chapter and to develop and maintain the data base under IC 22-1-1-23."

Page 31, line 21, delete "May" and insert "April".

Page 31, line 22, delete "April 30," and insert "March 31,".

Page 31, line 23, delete "IC 20-33-4-42" and insert "IC 20-33-3-42".

Page 31, line 31, after "2." insert "(a)".

Page 31, line 39, delete "12" and insert "12(a)".

Page 31, line 39, delete "chapter)" and insert "chapter), employment during school hours (section 12(b) of this chapter)".

Page 31, between lines 41 and 42, begin a new paragraph and insert:

"(b) This chapter does not apply to a minor enrolled in a work based learning course (as defined in IC 20-43-8-0.7)."

Page 32, between lines 16 and 17, begin a new paragraph and insert:

"Sec. 10.5. As used in this chapter, "school hours" refers to the hours that the school corporation, within the boundaries of which the minor resides while employed, is in session during the regularly scheduled school year."

Page 32, line 19, after "12." insert "(a)".

Page 32, line 19, delete "section" and insert "subsection".

Page 32, between lines 27 and 28, begin a new paragraph and insert:

"(b) Except as provided in section 14 of this chapter, an employer may not employ or permit any minor less than sixteen (16) years of age to work in any occupation during school hours on a school day."

Page 35, between lines 26 and 27, begin a new paragraph and insert:

"Sec. 23.5. (a) This section does not provide an exception to the limit on the number of hours a minor is permitted to work under sections 17 through 20 of this chapter."

(b) It is unlawful for an employer to permit a minor who is:

(1) less than eighteen (18) years of age; and

(2) employed by the employer;

to work after 10 p.m. and before 6 a.m. in an establishment that is open to the public unless another employee at least eighteen (18) years of age also works in the establishment during the same hours as the minor.

(c) A violation of subsection (b) is a hazardous occupation violation subject to section 30 of this chapter."

Page 35, line 40, delete "a" and insert "an annual".

Page 36, line 7, after "(c) The" insert "annual".

Page 36, line 23, after "the" insert "annual".

Page 37, line 27, delete "register or" and insert "register, a failure to pay the annual registration fee, or".

Page 37, line 31, after "chapter," insert "each minor employed in violation of section 12(b) of this chapter,".

Page 37, line 32, after "23" insert "or 23.5".

Page 38, line 21, delete "chapter." and insert "chapter and to develop and maintain the data base under this chapter."

Renumber all SECTIONS consecutively.

(Reference is to SB 409 as reprinted February 4, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 427, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 42, begin a new paragraph and insert:

SECTION 1. IC 25-1-17-8, AS ADDED BY P.L.57-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) Notwithstanding any other law, a board may issue a temporary practice permit or provisional license to a:

(1) military service applicant; or

(2) military spouse who is licensed; certified; registered; or issued a permit in another jurisdiction;

while the military service applicant or military spouse is satisfying certain requirements; as determined by the board; for a license; certificate; registration; or permit under section 4 or 5 of this chapter.

(b) The military service applicant or military spouse may practice under the temporary practice permit or provisional license issued under subsection (a) until:

(1) a license; certification; registration; or permit is

granted or denied by the board;
 (2) a temporary permit expires; or
 (3) a provisional license holder fails to comply with the terms of the provisional license.

an applicant for a license is entitled to a provisional license in the regulated occupation applied for and at the same practice level as determined by the board, without an examination, if all of the following conditions are met:

(1) The person submits a signed affidavit affirming, under the penalties for perjury, the following:

(A) The person is the spouse of an active duty member of the armed forces assigned to Indiana.

(B) The person is in good standing in all states in which the person holds a license for the regulated occupation applied for.

(C) The person has not had a license revoked and has not voluntarily surrendered a license in another state or country while under investigation for unprofessional conduct.

(D) The person has not had discipline imposed by the regulating entity for the regulated occupation in another state or country.

(E) The person does not have an investigation pending before the regulating entity in another state or country that relates to unprofessional conduct.

(2) The person submits verification that the person is currently licensed in at least one (1) other state in the regulated occupation applied for.

(3) The person submits to a national criminal history background check (as defined in IC 25-1-1.1-4) and does not have a disqualifying criminal history as determined by the board.

(4) The person has submitted an application for a license with the board and has paid any application fee.

(b) An applicant who has met the requirements in subsection (a) shall be issued a provisional license not more than thirty (30) days after the requirements are met.

(c) A provisional license expires three hundred sixty-five (365) days after it is issued.

(d) In addition to any other penalties for perjury, a person who violates this section commits a Class A infraction.

(e) If the board discovers that any of the information submitted under this section is false, the board may immediately revoke the person's provisional license.

(f) This section does not apply to a license that is established by or recognized through an interstate compact, a reciprocity agreement, or a comity agreement that is established by a board or a law.

(g) This section does not prohibit an individual from proceeding under other licensure, certification, registration, or permit requirements established by a board or a law."

Delete page 3.

Renumber all SECTIONS consecutively.

(Reference is to SB 427 as reprinted February 4, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

VANNATTER, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Resolution 23

Representatives McNamara, Bacon and Hostettler introduced House Resolution 23:

A HOUSE RESOLUTION recognizing the 2019 Evansville Mater Dei High School girls soccer team.

Whereas, The Evansville Mater Dei High School girls soccer team won the Class 2A state championship on November 2, 2019;

Whereas, The Wildcats' victory during the 2019 season marks their third consecutive state final win;

Whereas, Megan Gries, with an assist from Lexi Kassenbrock, opened scoring in the 21st minute of the game;

Whereas, Este Bonnell scored a second goal after firing a free kick from 19 yards out in the 73rd minute of the game;

Whereas, Wildcats goalkeeper Sabrina Henderson recorded five saves in the game, keeping the score 2-0;

Whereas, Coach Amy Weber led the Wildcats to their victory and a 16-5-2 record for the season; and

Whereas, The Wildcats' championship reflects the hard work, talent, skill, and commitment given by each player to high school soccer and their team: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates the Evansville Mater Dei High School girls soccer team on winning the 2019 Class 2A state championship.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Wendy McNamara for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 32

Representatives GiaQuinta, Pryor and Candelaria Reardon introduced House Resolution 32:

A HOUSE RESOLUTION honoring State Representative Dan Forestal.

Whereas, State Representative Dan Forestal was first elected to represent the constituents of House District 100 in 2012;

Whereas, During his time in the House of Representatives, Representative Forestal served as ranking minority member on the Roads and Transportation Committee and has also been a member of the Elections and Apportionment Committee; Financial Institutions Committee; Public Policy Committee; Employment, Labor and Pensions Committee; Veterans Affairs and Public Safety Committee; Commerce, Small Business and Economic Development Committee; and Utilities, Energy and Telecommunications Committee;

Whereas, Representative Forestal is a private with the Indianapolis Fire Department and also served as a guard at Marion County Jail and as a bailiff in Marion County Superior Court 11;

Whereas, Representative Forestal also ran a small business, which bought and then restored homes in Indianapolis that had been abandoned;

Whereas, Representative Forestal has held the following caucus leadership positions: Assistant Minority Caucus Chair and Assistant Minority Whip;

Whereas, Representative Forestal is dedicated to serving his community, as an active member in Firefighters Local 416, the Indianapolis Fire Department's Emerald Society, and the International Association of Firefighters;

Whereas, Working with Habitat for Humanity, the Knights of Columbus, and Wheeler Mission, Representative Forestal stays involved in his community, which was also displayed when he received the Good Neighbor Award from the Community Heights Neighborhood in his district;

Whereas, Representative Forestal attended the following national legislative leadership academies: the Bowhay Institute for Legislative Leadership Development, the NCSL Emerging Leaders Program, and the Council of State Government's Henry Toll Fellowship; and

Whereas, Representative Forestal has served his constituency loyally and faithfully since his election to the Indiana House of Representatives: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives honors State Representative Dan Forestal for his years of service.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Philip GiaQuinta for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 33

Representative Chyung introduced House Resolution 33:

A HOUSE RESOLUTION congratulating Munster High School's boys' tennis doubles team on placing second in the IHSAA doubles final in 2019.

Whereas, Munster High School's boys' tennis doubles team went head to head with Carmel's doubles team for the state title;

Whereas, Kathir Venkat and Charlie Morton were the doubles team from Munster High School that played against Carmel High School;

Whereas, The boys worked hard to get to this point in the season, and scored a close second to Carmel High School at 6-4, 6-1;

Whereas, The coach of the Munster High School boys' tennis team, Patrick Spohr, notes that few players get the chance to compete for state title;

Whereas, Out of 16 doubles players competing in the quarter finals, Morton was the only sophomore;

Whereas, Venkat, a senior at the time, and Morton earned a berth in the state quarter finals after advancing through the team tournament undefeated; and

Whereas, The chance to compete in the IHSAA is something that will not be soon forgotten, and something that brings pride to Munster High School: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates Munster High School's boys' tennis doubles team on placing second in the IHSAA doubles final in 2019.

That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Christopher Chyung for distribution.

The resolution was read a first time and adopted by voice vote.

The Speaker yielded the gavel to Representative Burton

House Resolution 34

Representative Gutwein and Bosma introduced House Resolution 34:

A HOUSE RESOLUTION honoring State Representative David Wolkins.

Whereas, Representative David Wolkins earned his bachelor of science degree from Greenville College and his master's degree from St. Francis College;

Whereas, Representative Wolkins was an active school teacher from 1965 to 1977 and coached cross country and track;

Whereas, In 1977, Representative Wolkins opened his own business, the Case Farm Tractor Dealership, selling farm equipment until 1981. He then became the vice president of ABC Travel Inc., where he worked until 1988;

Whereas, Representative Wolkins dedicated 18 years to the Winona Lake Town Board, where he served as vice president and president;

Whereas, Representative Wolkins has had a constant focus on eminent domain since 2003. He has been devoted to creating legislation that would clarify the law and protect property owners' rights;

Whereas, During the 2006 legislative session, Representative Wolkins authored House Enrolled Act 1010, which makes it more difficult for the government to seize property through eminent domain laws by more clearly defining requirements of property acquisition;

Whereas, Representative Wolkins is the Indiana state chairman for the American Legislative Exchange Council and was the 2011 ALEC State Legislator of the Year;

Whereas, Representative Wolkins served as chair of the House Committee on Environmental Affairs during his service in the Indiana General Assembly;

Whereas, Representative Wolkins has been happily married to his high school sweetheart, Candace Wolkins, for 54 years; and

Whereas, Together they have one son, Matthew, who, along with his wife Kristy, blessed them with two beautiful grandchildren, Jack and Abby: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives honors State Representative David Wolkins for his years of service.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Doug Gutwein for distribution.

The resolution was read a first time and adopted by voice vote.

Representative Burton yielded the gavel to the Speaker.

House Resolution 35

Representative V. Smith introduced House Resolution 35:

A HOUSE RESOLUTION recognizing Omega Psi Phi.

Whereas, Omega Psi Phi Fraternity, Inc. is the first international fraternal organization founded on the campus of a historically black college;

Whereas, Omega Psi Phi, a predominantly African-American organization of college men, was founded at Howard University on November 17, 1911;

Whereas, The name Omega Psi Phi was derived from the initials of the Greek phrase meaning "friendship is essential to the soul";

Whereas, Omega Psi Phi is guided by four principles: "Manhood, Scholarship, Perseverance, and Uplift";

Whereas, Omega Psi Phi flourished in large part due to the high ideals of its founders, who chose men of like character to guide the fraternity into the future;

Whereas, Omega Psi Phi has many internationally mandated programs, including the following: Achievement Week, which is designed to recognize those individuals at the local and international levels who have contributed to community uplift; Scholarship, which promotes academic excellence among undergraduate members; Social Action, in which chapters participate in activities that will uplift their communities, including voter registration, Assault on Illiteracy, Habitat for Humanity, mentoring, and fundraisers for charitable organizations; Talent Hunt, which provides exposure, encouragement, and financial assistance to talented young people participating in the performing arts; Memorial Service, which recalls the memory of those members who have entered into Omega Chapter; Reclamation and Retention, a concerted effort at the international, district, and local levels to retain active brothers and return inactive brothers to full participatory status; College Endowment Fund, which is an annual contribution of at least \$50,000 to historically black colleges and universities in furtherance of Omega Psi Phi's commitment to provide philanthropic support; Health Initiatives, which facilitates, participates in, and coordinates activities that promote good health practices, including the Charles Drew Blood Drive and partnership with the American Diabetes Association; Voter Registration, Education, and Mobilization, which facilitates and participates in activities that uplift their communities through the power of the vote;

Whereas, The Indiana chapters of Omega Psi Phi are Alpha Chi, Gary; Alpha Kappa Kappa, Gary; Beta Xi, Evansville; Chi Sigma, Terre Haute; Epsilon Beta Beta, Notre Dame; Eta Delta, Gary; Kappa Theta, Indianapolis; Nu Alpha Alpha, Indianapolis; Nu Mu Nu, Kokomo; Rho Sigma, Lafayette; Sigma Beta, Indianapolis; Tau Nu, Fort Wayne; Upsilon Beta, Muncie; Upsilon Kappa Kappa, Lafayette; Zeta Epsilon, Bloomington; and Zeta Phi, Indianapolis;

Whereas, Many renowned Americans from the business, professional, and educational areas have been members of Omega Psi Phi; and

Whereas, There are very few Americans whose lives have not been touched by a member of Omega Psi Phi Fraternity, Inc.: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives acknowledges the many contributions made to our state and our nation by the members of Omega Psi Phi Fraternity, Inc.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Omega Psi Phi Fraternity, Inc. and its 10th District representative.

The resolution was read a first time and adopted by voice vote.

House Concurrent Resolution 24

Representatives Cherry and Eberhart introduced House Concurrent Resolution 24:

A CONCURRENT RESOLUTION congratulating the New Palestine High School football team.

Whereas, The 2019 New Palestine High School football team won the Indiana High School Athletic Association's 2019 Class 5A state football championship at Lucas Oil Stadium on November 29, 2019;

Whereas, This year's championship game topped off an undefeated season for the New Palestine Dragons;

Whereas, The Dragons captured a hard earned win in the only 2019 state final that featured two undefeated teams;

Whereas, Dragons starting quarterback Lincoln Roth threw a 24-yard scoring pass to Blake Austin in the first quarter of the game;

Whereas, Alex Kropp kicked a 24-yard field goal, giving New Palestine a brief lead before going into halftime tied 10-10;

Whereas, Charlie Spegal ran 80 yards for a touchdown on New Palestine's first play of the second half, which was followed by a 20-yard field goal by Kropp;

Whereas, The Dragons scored again shortly after with Ryker Large and his 34-yard interception return, making the game 27-10;

Whereas, The Dragons won the game, 27-20 over Valparaiso

Whereas, Head coach Kyle Ralph led the Dragons to their third state title win;

Whereas, The Dragons' state championship win reflects the hard work, talent, skill, and commitment given by each player to high school football and their team; and

Whereas, This achievement will be remembered by players, coaches, staff, friends, family, and fans for years to come: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the New Palestine High School football team for its 2019 state championship win.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to head coach Kyle Ralph of the New Palestine High School football team for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Crider.

House Concurrent Resolution 42

Representatives Goodrich, Frye, Judy and Macer introduced House Concurrent Resolution 42:

A CONCURRENT RESOLUTION honoring Indiana's women veterans.

Whereas, Women are an essential part of the United States military and the profession of arms, having served throughout the history of the United States of America;

Whereas, Many women, unable to serve lawfully in the profession of arms, provided critical support to the United States Army during the American Revolutionary War as nurses, seamstresses, and cooks;

Whereas, The U.S. Army reports that women did fight alongside their husbands in combat or disguised themselves as men in order to serve, and women took an active role providing the military with intelligence on enemy troop movements throughout the colonies and along the frontier;

Whereas, The U.S. Army reports that women served once again during the Civil War in critical roles as nurses and aides in addition to an estimated 400 women who secretly enlisted as soldiers to fight in the Union or Confederate armies;

Whereas, The U.S. Army established a permanent Nurse Corps in 1901, recognizing the skilled role of nurses in the military, especially during the Spanish-American War and an outbreak of typhoid fever, during which an estimated 1,500 contract nurses served in Army and Navy general hospitals and throughout the Northern Hemisphere during the war effort;

Whereas, An estimated 25,000 women between the ages of 21 and 69 served overseas during World War I and the role of women in the military increased in the Army, Navy, and Marines as World War II, and the United States' involvement, began in earnest;

Whereas, More than 60,000 Army nurses served around the world, with an estimated 140,000 women serving in the U.S. Army and the Women's Army Corps during World War II;

Whereas, The U.S. Army reports that more than 1,000 women flew aircraft for the Women's Airforce Service Pilots during that same period;

Whereas, The role of women in the United States military and their voluntary service continued to grow over the decades, especially in nursing, and an estimated 170,000 women served on active duty by 1980 according to the Women in Military Service Memorial Foundation;

Whereas, The United States, acknowledging the value and strength of women in the military, offered females the opportunity to serve in combat roles throughout the armed forces in 2015; and

Whereas, Women today serve and fight alongside their fellow soldiers, sailors, airmen, and marines on behalf of the United States of America: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana General Assembly honors Indiana's women veterans for their service to the state of Indiana and United States of America.

SECTION 2. That the Indiana General Assembly joins all Hoosiers in celebrating Indiana's women veterans on June 12, 2020.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Chuck Goodrich for distribution

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Doriot.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 10

Representative Burton called down Engrossed Senate Bill 10 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 10-2)

Mr. Speaker: I move that Engrossed Senate Bill 10 be amended to read as follows:

Page 8, delete lines 8 through 42.

Delete pages 9 through 11.

Renumber all SECTIONS consecutively.
(Reference is to ESB 10 as printed February 18, 2020.)

BURTON

Motion prevailed. The bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 50

Representative Torr called down Engrossed Senate Bill 50 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 205: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 109

Representative Steuerwald called down Engrossed Senate Bill 109 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 206: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 181

Representative Burton called down Engrossed Senate Bill 181 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 207: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 197

Representative Soliday called down Engrossed Senate Bill 197 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 208: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 237

Representative Morris called down Engrossed Senate Bill 237 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 209: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 239

Representative Mayfield called down Engrossed Senate Bill 239 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 210: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 249

Representative McNamara called down Engrossed Senate Bill 249 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 211: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 288

Representative Bacon called down Engrossed Senate Bill 288 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 212: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 358

Representative Manning called down Engrossed Senate Bill 358 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 213: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 383

Representative T. Brown called down Engrossed Senate Bill 383 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 214: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the

act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 424

Representative Engleman called down Engrossed Senate Bill 424 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 215: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 438

Representative Lehe called down Engrossed Senate Bill 438 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 216: yeas 84, nays 10. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 430

Representative Wolkins called down Engrossed Senate Bill 430 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that Engrossed Senate Bill 199 had been referred to the Committee on Ways and Means.

Reassignments

The Speaker announced the reassignment of Engrossed Senate Bill 229 from the Committee on Local Government to the Committee on Environmental Affairs.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as cosponsor of Engrossed Senate Bill 239.

MAYFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fleming be added as cosponsor of Engrossed Senate Bill 288.

BACON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Carbaugh be added as cosponsor of Engrossed Senate Bill 324.

ABBOTT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lauer be added as cosponsor of Engrossed Senate Bill 345.

LINDAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Bartlett and Bartels be added as cosponsors of Engrossed Senate Bill 427.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Jackson be added as cosponsor of Engrossed Senate Bill 430.

WOLKINS

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1009, 1104, 1109, 1147, 1189, 1224, 1267, 1288, 1334 and 1403 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1047, 1218 and 1343 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 49 and 50 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 37, 38 and 40 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Wolkins, the House adjourned at 3:47 p.m., this twenty-fifth day of February, 2020, until Thursday, February 27, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives